

EXHIBIT 104

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Civil File No. 20-CV-02189 WMW/JFD

Patrick Berry, Henrietta Brown,
Nadine Little, Dennis Barrow, Virginia Roy,
Joel Westvig, Emmett Williams, Gina Mallek,
Daniel Huiting, on behalf of themselves
and a class of similarly-situated individuals;
and ZACAH,

Plaintiffs,

vs.

Hennepin County; Hennepin County Sheriff
David Hutchinson, in his individual and official
capacity; City of Minneapolis; Minneapolis Mayor
Jacob Frey, in his individual and official capacity;
Minneapolis Chief of Police Medaria Arradondo,
in his individual and official capacity;
Superintendent Al Bangoura, in his individual and
official capacity; Park Police Chief at the
Minneapolis Park and Recreation Board Jason Ohotto,
in his individual and official capacity;
Police Officers John Does; and Police Officers
Jane Does,

Defendants.

VIDEOTAPED DEPOSITION OF
DONALD RYAN

DATE: February 13, 2023
TIME: 9:00 a.m.
PLACE: Ballard Spahr, LLP
2000 IDS Center
80 South Eighth Street
Minneapolis, Minnesota

REPORTED BY: Christine K. Herman, RPR, CRR

A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFFS:

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-and-

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ON BEHALF OF HENNEPIN COUNTY, HENNEPIN COUNTY SHERIFF

DAVID HUTCHINSON, AND THE WITNESS:

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ON BEHALF OF THE CITY OF MINNEAPOLIS, MINNEAPOLIS MAYOR

JACOB FREY, AND MINNEAPOLIS CHIEF OF POLICE

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1 ON BEHALF OF THE MINNEAPOLIS PARK AND RECREATION BOARD,
2 SUPERINTENDENT AL BANGOURA AND PARK POLICE CHIEF

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8	Email string	
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10	HC00020219 - 20220	
11	NUMBER 181	38
12	Email string	
13	FW: [External] Fw: Powderhorn transition	
14	HC00039367 - 39368	
15	NUMBER 182	38
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19	Email String	
20	RE: Greenway Camps 12/5/2020	
21	HC00015115 - 15117	
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23	Summary of Tents with Occupants 120420 Interested	
24	in Shelter JRG.jg.xlsx	
25	HC00015118 and spreadsheet	

1 NUMBER 185 100

2 Email string

3 RE: [External] Park Encampments

4 HC00028963 - 28964

5 NUMBER 186 107

6 Email string

7 RE: [External] Logan Park

8 HC00029505 - 29506

9 NUMBER 187 113

10 Email string

11 RE: [EXTERNAL] Nicollet Ave bridge deck

12 MPLS_BERRY073548 - 073550

13 NUMBER 188 119

14 Email string

15 RE: HC Sheriffs - anyone available for an

16 immediate call?

17 HC00037746 - 37749

18 NUMBER 189 121

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20 Nicollet Bridge Encampment

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23 Cleanout Notice Nicollet Bridge site 100220.docx

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1	NUMBER 191	125
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8	and EVICTION PLANNED for Thursday AM	
9	HC00019692 - 19693	
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2 Email string
3 RE: Powderhorn update
4 HC00039757 - 39763
5 NUMBER 199 180
6 Email string
7 RE: [EXTERNAL] Encampments clearings with no
8 destination
9 HC00029458 - 29459
10 NUMBER 200 184
11 Email string
12 FW: [EXTERNAL] update on the street outreach meeting
13 HC00029980 - 29982
14 NUMBER 201 191
15 Outreach Meeting Minutes 8.17.20.docx
16 HC00038115
17 NUMBER 202 212
18 Email string
19 FW: ZACAH referrals
20 HC00033832 - 33833
21 NUMBER 203 215
22 Email from David Hewitt
23 Summary of the meeting with Bloomington and ZACAH
24 HC00034306
25

1 NUMBER 204 224

2 Don Ryan LinkedIn Profile

3

4 PREVIOUSLY MARKED EXHIBITS REFERENCED:

5 NUMBER 23 84

6 NUMBER 55 87

7 NUMBER 60 20

8 NUMBER 61 21

9 NUMBER 76 99

10 NUMBER 88 75

11 NUMBER 129 33

12 NUMBER 130 48

13 NUMBER 146 54

14 NUMBER 165 116

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17 Certificate of Witness 228

18 Certificate of Court Reporter 230

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21 REPORTER'S NOTE: All quotations from exhibits are
 22 reflected in the manner in which they were read into
 23 the record and do not necessarily indicate an exact
 24 quote from the document.

25

P R O C E E D I N G S

THE VIDEOGRAPHER: Good morning. We're going on the record at 9:02 a.m. on February 13th, 2023.

Please note that the microphones are sensitive and may pick up whispering and private conversations. Please mute your phones at this time. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is Media Unit 1 of the video-recorded deposition of Donald Ryan, taken by counsel for the plaintiffs, in the matter of Berry, et al., vs. Hennepin County, et al., filed in the United States District Court, District of Minnesota, Case No. 20-CV-02189.

This deposition is being happening at the law offices of Ballard Spahr, located in Minneapolis, Minnesota.

My name is Dave Young. I'm the videographer. Our court reporter today is Christine Herman. We are both representing Veritext Legal Solutions.

I am not related to any party in this

1 action, nor am I financially interested in the
2 outcome.

3 If there are any objections to this
4 proceeding, please state them at the time of your
5 appearance.

6 Will counsel now state their appearances
7 and affiliations for the record, beginning with the
8 noticing attorney.

9 MS. STILLMAN: Rebecca Stillman, counsel
10 for plaintiffs.

11 MR. GRUNDMAN: Luke Grundman, counsel for
12 plaintiffs.

13 MS. PIERCE: Kelly Pierce, counsel for
14 Hennepin County and the witness, Don Ryan.

15 MS. MARTENSON: Christy Martenson,
16 representing Hennepin County.

17 MS. WALTHER: Ann Walther, representing
18 the Minneapolis Park and Recreation Board.

19 MS. SARFF: Kristin Sarff, representing
20 the City defendants.

21 THE VIDEOGRAPHER: Will the court reporter
22 please swear in the witness, and then we can
23 proceed.

24 Whereupon,

25 DONALD RYAN,

1 a witness in the above-entitled matter,
2 after having been first duly sworn,
3 deposes and says as follows:

4 EXAMINATION

5 BY MS. STILLMAN:

6 Q. Good morning, Mr. Ryan.

7 A. Good morning.

8 Q. My name is Rebecca. I'm counsel for the
9 plaintiffs.

10 Could you please state and spell your
11 name?

12 A. My legal name is Donald Ryan, R-y-a-n.

13 Q. Okay. And you understand that your
14 answers are under oath as if given in a court of
15 law?

16 A. I do.

17 Q. And you understand that, under certain
18 circumstances, this testimony could be shown to a
19 jury?

20 A. I do.

21 Q. And you understand it is your
22 responsibility to answer truthfully and as
23 completely as possible?

24 A. I do.

25 Q. You must respond audibly, not by shaking

1 your head or nodding, as we have a court reporter
2 taking everything down.

3 A. Yes.

4 Q. If I ask you a question that you do not
5 understand, please let me know, and I will rephrase
6 it for you. Can you do that?

7 A. Yes.

8 Q. If you have to take a break for any
9 reason, that's not a problem, so long as there is
10 not a question pending. If there is a question
11 pending, we ask that you answer the question and
12 then we take the break. Does that work?

13 A. That's fine.

14 Q. Okay. Are there any circumstances that
15 would affect your ability to testify completely and
16 truthfully today?

17 A. No.

18 Q. You're not on any medication or alcohol
19 and drugs that might affect your memory?

20 A. No.

21 Q. All right. What did you do to prepare for
22 your deposition today?

23 MS. PIERCE: I'm just going to object here
24 and instruct the witness not to reveal the content
25 of any privileged communication.

1 A. I spent a couple hours with the county
2 attorney prepping for this deposition last week.

3 Q. (BY MS. STILLMAN) With Ms. Pierce and
4 Ms. Martenson or only one of them?

5 A. On two different occasions, with both of
6 these attorneys, and on another occasion with Devona
7 Wells being part of that group.

8 Q. So how many times did you meet with them?

9 A. Twice.

10 Q. Okay. And how long each time?

11 A. I would say an average of four hours.

12 Q. Okay. Did you review any documents?

13 A. Yes.

14 Q. Which documents?

15 A. There were a number of emails that were
16 produced that we reviewed.

17 Q. Did any of those documents refresh your
18 recollection?

19 A. No. I don't believe that I learned
20 anything new from reviewing those documents.

21 Q. And did you bring anything with you today?

22 A. I did not.

23 Q. All right. Are you currently employed
24 with the county?

25 A. Yes.

1 Q. What is your current role?

2 A. I'm a program manager in an area called
3 safe communities.

4 Q. When did you start in that role?

5 A. January 1st, 2023.

6 Q. And what is your -- what are your duties
7 in that role?

8 A. I manage a number of lines of business,
9 with the goal being violence reduction in the
10 communities.

11 Q. And what do you mean by violence
12 reduction?

13 A. Safe communities is a new department,
14 developed by Hennepin County, with the goal of
15 taking a public health perspective into reducing
16 violence, so there is a line of business for illegal
17 gun, getting guns off the street, sex trafficking,
18 anti-hate.

19 I'm responsible for the domestic violence
20 contracts that Hennepin County has with a program
21 called the Youth Connection Center and with a
22 program called the Joint Community Police
23 Partnership.

24 Q. And is that a partnership between
25 Hennepin County and the City of Minneapolis?

1 A. No. The City of Minneapolis does not
2 participate in the JCPP.

3 Q. Who's your current supervisor?

4 A. The director of safe communities is Lisa
5 Bayley, and I report to her directly.

6 Q. Could you spell her last name, please?

7 A. B-a-y-l-e-y.

8 Q. What was your role prior to your current
9 role?

10 A. I was a program manager in the department
11 called initial contact and access, and I'd --

12 Q. How long -- I apologize.

13 How long were you in that role?

14 A. 2015, until the end of 2022.

15 Q. Who was your supervisor while you were in
16 that role?

17 A. Margaret Thunder, T-h-u-n-d-e-r.

18 Q. And who was her supervisor?

19 A. For the majority of that time it was
20 Louella Kaufer, K-a-u-f-e-r.

21 Q. Is the initial contact and access program
22 within a Hennepin County department?

23 A. Yes.

24 Q. Which department?

25 A. Human services.

1 Q. And who's in charge of the Hennepin County
2 Department of Human Services?

3 A. Are you looking for ultimate
4 responsibility?

5 Q. Yeah.

6 A. Jodi Wentland is the assistant to David
7 Hough.

8 THE WITNESS: Thank you.

9 Q. (BY MS. STILLMAN) And is Hough spelled
10 H-o-u-g-h?

11 A. Yes.

12 Q. Okay. What were your duties as a program
13 manager for the initial contact and access team?

14 A. I had a number of units that did different
15 kinds of work. During that time I had the Joint
16 Community Police Partnership. I had an area called
17 adult access, which did a lot of mental health
18 provision work for residents, and I also had the
19 homeless access team, from 2015 until the end of
20 2021.

21 Q. Who took over the role of managing the
22 homeless access team at the end of -- when you
23 stepped away from that role?

24 A. The reason that I stopped working with
25 them is, the unit was moved to an area called

1 housing stability, in order to provide as much
2 continuity of care for residents. The program
3 manager who took over those responsibilities is Lynn
4 Shefer, S-h-e-f-e-r.

5 Q. And who's the director of the housing
6 stability unit?

7 A. David Hewitt.

8 Q. What does the housing stability unit do?

9 A. I have never worked directly in that unit,
10 so I don't know that I am best able to describe it,
11 but they have a comprehensive plan for trying to
12 assist people who are either unhoused or at risk of
13 being unhoused, to improve their living situation.

14 Q. When you worked as the program manager for
15 initial contact and access, did you supervise
16 anyone?

17 A. Yes.

18 Q. Approximately how many people?

19 A. There were two supervisors and about 20 to
20 21 staff.

21 Q. And both of those supervisors and the
22 approximately 21 to 28 staff all reported directly
23 to you?

24 MS. PIERCE: Objection. Misstates
25 witness' testimony.

1 A. It was 20 to 21 staff.

2 Q. (BY MS. STILLMAN) 20 to 21. I apologize.

3 A. That's okay. And I'm sorry. What was
4 your question?

5 Q. Did those two supervisors and 20 to 21
6 staff report directly to you?

7 A. The two supervisors reported directly to
8 me. I was working in a support capacity for all of
9 the staff who were doing the work.

10 Q. And what were the names of those two
11 supervisors?

12 A. Lynn Shefer and Ann Norton, N-o-r-t-o-n.

13 Q. Did Lynn Shefer supervise the homeless
14 access team at that time?

15 MS. PIERCE: Objection. Vague.

16 A. I don't know what that time is. I'm
17 sorry.

18 Q. (BY MS. STILLMAN) While you were the
19 program manager with initial contact and access, did
20 Lynn Shefer supervise a specific unit?

21 A. I -- I don't recall what date Lynn was
22 brought into working with the homeless access team,
23 but I would approximate it would be the beginning of
24 2020. So I would say around January 2020 she joined
25 that team.

1 Q. And when you were the program manager for
2 initial contact and access, what unit did Ann Norton
3 supervise?

4 A. I'm hesitating because the homeless access
5 team was merged with the other unit I mentioned
6 called adult access. We separated those units. So
7 during the period of 2015 to when they moved over to
8 housing stability, in September 2021, there were
9 times where Ann Norton did work with the adult
10 access team as well as the homeless access team.

11 Q. Okay. And you mentioned earlier that
12 you -- while you were in the program manager for
13 initial contact and access you supervised the Joint
14 Community Police Partnership? Is that correct?

15 A. Yes.

16 Q. And is that the same Joint Community
17 Police Partnership that you currently supervise in
18 your current role?

19 A. Yes.

20 Q. Okay. And do you work with the
21 Minneapolis Police Department at all for that
22 project?

23 A. No.

24 MS. PIERCE: Objection. Objection.

25 Vague.

1 A. No.

2 Q. (BY MS. STILLMAN) No?

3 Why is it called the Joint Community
4 Police Partnership?

5 MS. PIERCE: Objection. Foundation.

6 A. The program began in 2005, as an effort to
7 assist newly immigrated folks, mostly from Liberia,
8 to develop positive relationships with the police
9 departments of Brooklyn Park and Brooklyn Center.
10 It has now developed into working with nine
11 Hennepin County cities, and the goal is to improve
12 relationships between community and law enforcement.

13 Q. (BY MS. STILLMAN) Is one of those cities
14 Minneapolis?

15 A. No.

16 MS. STILLMAN: I'm going to show the
17 witness a document that was previously marked as
18 Exhibit 60.

19 (Previously Marked Exhibit Number 60
20 introduced to the witness.)

21 MS. PIERCE: Do you have copies for
22 counsel?

23 MS. STILLMAN: No. It's an email -- and
24 I'm going to be using 61 as well.

25 MS. MARTENSON: Do you want a copy?

1 MS. STILLMAN: And then I'm also going to
2 present the witness with Exhibit -- a document
3 that's previously been marked as Exhibit 61.

4 Actually, this is the witness copy. I'll
5 trade you.

6 (Previously Marked Exhibit Number 61
7 introduced to the witness.)

8 (Discussion held off the record.)

9 MS. STILLMAN: Has all counsel found the
10 document?

11 (Affirmative responses.)

12 MS. STILLMAN: Okay.

13 Q. (BY MS. STILLMAN) Going to Exhibit 60, do
14 you recognize this document?

15 A. I recognize that this is an email chain.

16 Q. And is your email address on this
17 document?

18 A. Yes, it is.

19 Q. Okay. And is your email address
20 donald.ryan@hennepin.us?

21 A. Yes.

22 Q. And is that still your email address?

23 A. Yes.

24 Q. Okay. Has your email address changed
25 since 2015?

1 A. No.

2 Q. Okay. And I'm going to go to Exhibit 61.
3 And I'll represent that this is the document that
4 was attached to the email in Exhibit 60.

5 Have you seen this document before?

6 A. I don't recall, but I can review it right
7 now --

8 Q. Okay.

9 A. -- if you would like.

10 Q. Yes. Take your time.

11 A. Okay.

12 I have not read the entire document, but I
13 do recognize this document.

14 Q. Okay. Did you help draft this document?

15 A. I did not.

16 Q. Do you know who drafted this document?

17 A. I am not sure of all the parties who
18 participated in drafting this document.

19 Q. Do you know why this document was created?

20 A. I believe that this document was created
21 to create continuity and consistency in the work
22 that Hennepin County was doing with persons
23 experiencing homelessness.

24 Q. Continuity with other governmental
25 entities?

1 A. I appear -- this appears to be an internal
2 document, to me.

3 Q. If you go back to page -- or Exhibit 60,
4 on the first page it says that this -- at the top it
5 says that this document was from David Hewitt to
6 Katie Topinka, with you and Andrea Brennan both
7 cc'ed on the email.

8 Do you see that?

9 A. Yes.

10 Q. Okay. And did you discuss this document
11 with Ms. Topinka and Ms. Brennan?

12 A. I don't recall.

13 Q. I'm going to go back to Exhibit 61.

14 Does this document accurately describe the
15 joint homeless response during the pandemic?

16 MS. PIERCE: Objection. Foundation.

17 A. When you say joint homeless response, can
18 you describe what you mean?

19 Q. (BY MS. STILLMAN) Well, let's rephrase
20 this.

21 Does this draft document -- draft and
22 encampment response during COVID-19 pandemic
23 accurately describe the cross-jurisdictional
24 framework that was used for encampment response?

25 MS. PIERCE: Objection. Vague,

1 foundation.

2 A. Thanks for giving me time to review that.

3 I'm sorry. The question, again, was?

4 Q. (BY MS. STILLMAN) Sure. So if you go to
5 the first page of the document -- we'll start --
6 we'll start over.

7 If you go to the first page of the
8 document, it says, Draft Encampment Response During
9 COVID-19 Pandemic. This is a framework for a
10 cross-jurisdictional response to encampments during
11 the COVID-19 pandemic.

12 During the COVID-19 pandemic, was this the
13 framework you used to respond to encampments?

14 MS. PIERCE: Objection. Vague,
15 foundation, misstates the record.

16 A. This is a document we used when --
17 considering how we wanted to provide service, yes.

18 Q. (BY MS. STILLMAN) Who is "we"?

19 A. Hennepin County has a number of teams,
20 including the homeless access team, and Healthcare
21 for the Homeless, and public health, and we,
22 Hennepin County, units use this as -- as a model for
23 the work we were doing.

24 Q. What is your understanding of
25 cross-jurisdictional response?

1 MS. PIERCE: Objection. Do you mean as
2 used in the document?

3 Q. (BY MS. STILLMAN) As used in the document.

4 A. I haven't seen this document in a while,
5 but I -- the way that I read this, it would be not
6 only Hennepin County personnel.

7 Q. Did you create a response plan for
8 encampments during the COVID-19 pandemic with
9 anybody from the City of Minneapolis?

10 MS. PIERCE: Objection. Vague.

11 A. I don't recall.

12 It's important to know that the work that
13 we did didn't begin with this period of time, that
14 some of these foundational principles were taken
15 from other documents that we used. So when I
16 consider what we started doing as a result of
17 changes in 2020, it's not clear to me what we
18 started at that time and what occurred before that.

19 Q. (BY MS. STILLMAN) You mentioned other
20 documents. What other documents?

21 A. There were documents from the Office to
22 End Homelessness that we used as a -- as a guide for
23 the work we did as well.

24 Q. What were these documents specifically?

25 A. I did not prepare any of those documents,

1 so I don't know that I'm in the best position to
2 discuss those.

3 Q. Which documents are you referring to?

4 A. I believe you were asking about the Office
5 to End Homelessness documents, and include
6 foundation principles, philosophy, et cetera.

7 Q. Yes. And you said that you used those
8 documents to help create this framework, correct?

9 A. Nope. No, I didn't --

10 MS. PIERCE: Objection. Objection.
11 Misstates the witness's testimony.

12 A. No. I didn't say that.

13 Q. (BY MS. STILLMAN) In your previous answer
14 you mentioned other documents that you, what, used
15 to --

16 A. Used as a model for the work that we were
17 doing.

18 Q. Okay. So I'm asking what other
19 documents -- what were those documents that you used
20 as a model?

21 A. There were documents created by the Office
22 to End Homelessness to give all staff the
23 opportunity to consider the work we were doing from
24 Hennepin County's model perspective.

25 Q. Do you remember specifically the names of

1 those documents?

2 A. I do not.

3 Q. Do you remember generally what information
4 those documents contained?

5 A. Yes. There was a strong emphasis on
6 treating all people with dignity, with respect,
7 with -- there's a philosophy Hennepin County has,
8 where we look at trying to serve the person and what
9 they need at that time. I -- I recall all of those
10 being the focus of those documents.

11 Q. What does treating somebody with dignity
12 mean to you?

13 A. I would say listening to someone's
14 opinion, treating them with respect, trying to offer
15 them options that are good for them and that they
16 believe may improve their own lives are all examples
17 of working with someone with dignity.

18 Q. When you get emails with attachments, what
19 do you generally do with the attachments?

20 MS. PIERCE: Objection. Vague, compound,
21 time frame.

22 A. It depends on the document. If this is a
23 document that I received that I felt was applicable
24 to the work of people who I work with in the
25 homeless access team, for example, I may forward

1 that to them. If it's a document that I think I'll
2 be referencing in the future, I may save that
3 document so I can access it later.

4 It all depends on what the email and the
5 document is.

6 Q. (BY MS. STILLMAN) Where would you save it
7 if you chose to save a document?

8 MS. PIERCE: Objection. Vague, compound,
9 time frame.

10 A. Hennepin County offers electronic ways to
11 store documents, and I've only used Hennepin County
12 internal data systems to do that.

13 Q. (BY MS. STILLMAN) Does Hennepin County use
14 SharePoint?

15 A. Yes.

16 Q. Okay. Any other online -- does
17 Hennepin County use any other online storage
18 systems?

19 MS. PIERCE: Objection. Vague.

20 A. In the last couple years we have used
21 Microsoft Teams. In years before that it was a --
22 an opportunity to store a document on a -- in a
23 private work file.

24 Q. (BY MS. STILLMAN) I'm going to go back to
25 document 60 for a second.

1 So as we said earlier, this was an email
2 from David Hewitt to Katie Topinka, with you and
3 Andrea Brennan cc'ed.

4 Do you remember that?

5 A. I'm looking at it now.

6 Q. Okay. Did the four of you have many
7 conversations about encampment issues?

8 A. Yes.

9 MS. PIERCE: Objection. Time frame.

10 Q. (BY MS. STILLMAN) During 2020 do you think
11 you emailed with Katie Topinka and Andrea Brennan
12 every day of the workweek?

13 MS. SARFF: Objection. Lack of
14 foundation, calls for speculation and relevance.

15 A. I don't believe that I emailed them every
16 day of the workweek.

17 Q. (BY MS. STILLMAN) During 2020 how
18 frequently do you think you talked to Katie Topinka?

19 MS. SARFF: Same objections.

20 A. It would not be uncommon to have
21 communication with Katie Topinka two to three times
22 a week.

23 Q. (BY MS. STILLMAN) During 2020 how
24 frequently would you say you communicated with
25 Andrea Brennan?

1 A. Much --

2 MS. SARFF: Same objections.

3 A. Much less frequently.

4 Q. (BY MS. STILLMAN) Approximately once per
5 week?

6 A. No. Not -- the average would be much less
7 than once a week.

8 Q. Approximately once per month?

9 A. It is hard to recall, but those
10 communications may be two to three times a month.

11 Q. In 2021 how frequently would you say you
12 spoke to Katie Topinka?

13 MS. SARFF: Objection. Relevance, lack of
14 foundation, calls for speculation.

15 A. Are you asking me for the totality of
16 2020?

17 Q. (BY MS. STILLMAN) 2021.

18 A. 2021. I apologize.

19 Infrequently.

20 Q. Okay.

21 A. Katie and I may have communicated briefly
22 in January of 2021, but there was a new person who
23 was hired by Hennepin County at that time who
24 assumed the roles that I had in 2020, which limited
25 my interactions with Katie Topinka in 2021.

1 Q. Is that person you just mentioned that was
2 hired by Hennepin County Lynn Shefer?

3 A. No.

4 Q. Who was it?

5 A. Erin Wixsten, W-i-x-o-n -- s-o-n.
6 W-i-x-s-o-n [sic].

7 Q. Does Erin Wixsten still work for
8 Hennepin County?

9 A. Yes.

10 Q. In what role?

11 A. I don't know what her job description is,
12 but she works in housing stability, working with
13 persons experiencing homelessness.

14 Q. How frequently did you speak with Andrea
15 Brennan in 2021?

16 MS. SARFF: Objection. Relevance, lack of
17 foundation, calls for speculation.

18 A. Less frequently than I spoke with her in
19 2020.

20 Q. (BY MS. STILLMAN) This email only includes
21 you and David Hewitt from the county, correct?

22 A. The --

23 Q. The top email.

24 A. Yes. Correct.

25 Q. Okay. Was it common for only you and

1 Mr. Hewitt to be -- you and Mr. Hewitt to be
2 emailing with Ms. Topinka and Ms. Brennan?

3 MS. PIERCE: Objection. Foundation,
4 vague, compound, time period.

5 MS. SARFF: Objection. Relevance as to
6 subject matter.

7 A. It was not uncommon for us to email, as
8 email was a -- a convenient and timely way to
9 communicate about issues that we were working on.

10 Q. (BY MS. STILLMAN) What was your work
11 relationship with Mr. Hewitt while you were the
12 initial -- while you were the program manager for
13 initial contact and access?

14 MS. PIERCE: Objection. Vague.

15 A. He was the director in another area, and
16 we worked together on this work. He is a director,
17 so he's levels above me in terms of senior -- not
18 seniority -- of hierarchy. But I would say we
19 worked together in this work.

20 Q. (BY MS. STILLMAN) What do you mean by
21 "this work"?

22 A. The work of attempting to serve persons
23 experiencing homelessness.

24 MS. STILLMAN: I'm going to present the
25 witness with Exhibit -- an exhibit that was

1 previously marked as 129.

2 (Previously Marked Exhibit Number 129
3 introduced to the witness.)

4 MS. STILLMAN: And if all counsel could
5 just let me know once they've found the document.

6 MS. MARTENSON: What was the number again?

7 MS. STILLMAN: 129.

8 (Discussion held off the record.)

9 MS. STILLMAN: All right. Has all counsel
10 found 129?

11 (Affirmative responses.)

12 MS. STILLMAN: Okay.

13 Q. (BY MS. STILLMAN) And if you look at the
14 document, this is a Microsoft Teams meeting invite
15 from Katie Topinka and you to others, correct?

16 A. Yes.

17 Q. And it's dated October 5th, 2020?

18 A. No.

19 Q. What's the date?

20 A. October 1st, 2020.

21 Just to clarify, it was sent on
22 October 1st, for a meeting time on October 5th.

23 Q. Okay. And the body of the email states
24 that the recurrence of the meeting was changing
25 from -- or was changing to once per week; is that

1 correct?

2 A. That's what this says. Yes.

3 Q. And that you will leave it on the calendar
4 for Mondays but will cancel if not needed. Correct?

5 A. That's what I'm reading.

6 Q. Okay. How often were you and the
7 individuals listed on that invite meeting?

8 MS. PIERCE: Objection. Vague, compound
9 as to individuals.

10 MS. SARFF: Objection. Relevance as to
11 topic.

12 A. I don't recall. There were many meetings
13 that we had with multiple groups of people. This
14 appears to be focused on the response policy and
15 communication, but I -- I don't recall how often
16 this group of people met.

17 MS. STILLMAN: I'm marking Bates stamp
18 number HC00020219 as Exhibit 80 [sic].

19 (Deposition Exhibit Number 180 marked for
20 identification.)

21 MS. WALTHER: Number 180?

22 MS. STILLMAN: Exhibit 180.

23 MS. WALTHER: Yes. You said 80.

24 Q. (BY MS. STILLMAN) And do you recognize
25 this document?

1 A. I recognize this as an email from me.

2 Q. And both the top email and the lower email
3 are from you, correct?

4 A. Correct.

5 Q. Okay. And the subject of the -- And you
6 sent this top email and the bottom email on
7 August 13th of 2020, correct?

8 A. Correct.

9 Q. And the subject line is Update on
10 Encampments from 8:00 Daily Meeting?

11 A. Correct.

12 Q. Were you -- and on the bottom email, it's
13 to David Hewitt and Katie Topinka, correct?

14 A. Correct.

15 Q. Were you meeting with Mr. Hewitt and Katie
16 Topinka daily for a period of time in 2020?

17 A. It appears so, from this email.

18 Q. What was the purpose of those meetings?

19 MS. PIERCE: Objection. Foundation.

20 A. This is a difficult question for me to
21 answer, because I had multiple meetings with people
22 on a daily basis. I don't want to surmise, but I do
23 recall that we were meeting more frequently, given
24 the number of encampments that had been founded.
25 And given the growth and the activity in those

1 encampments, I know we were meeting more frequently
2 to make sure we were aware of what was happening.

3 Q. (BY MS. STILLMAN) Who's "we"?

4 A. You just asked me about whether or not
5 Katie Topinka and David Hewitt were meeting, and
6 that was one of the reasons why the three of us were
7 meeting.

8 Q. Did anyone other than David Hewitt and
9 Katie Topinka attend these daily meetings?

10 A. I am sure that other people joined us. I
11 don't recall all of the players who may have joined
12 us in those meetings.

13 Q. So if you look at that bottom email -- or
14 the bottom email, the fourth bullet point states,
15 Peavey Park was planned to be demobilized yesterday,
16 but a group of 100 activists showed up at Peavey and
17 Parks Police made a decision to alter their plans to
18 avoid conflicts and to demobilize in a different way
19 in the future.

20 Do you see that?

21 A. I do.

22 Q. In 2020 did you ever speak with David
23 Hewitt about what date an encampment sweep would
24 occur?

25 MS. PIERCE: Objection. Compound, vague.

1 A. Yes.

2 Q. (BY MS. STILLMAN) Did you ever speak to
3 David Hewitt in 2021 about what date an encampment
4 sweep would occur?

5 A. No.

6 Q. In 2020 did you ever speak with Katie
7 Topinka about what day an encampment sweep would
8 occur?

9 MS. PIERCE: Objection. Vague, compound.

10 A. I am sure that I did.

11 Q. (BY MS. STILLMAN) Did you speak to Katie
12 Topinka in 2021 about what date an encampment sweep
13 would occur?

14 MS. PIERCE: Same objections.

15 A. No.

16 Q. (BY MS. STILLMAN) So it says, Parks Police
17 made a decision to alter their plans to avoid
18 conflicts and to demobilize in a different way in
19 the future.

20 Did you help Park -- Parks Police decide
21 how to demobilize in a different way?

22 MS. PIERCE: Objection. Vague.

23 A. No.

24 MS. STILLMAN: I'm marking HC00039367 as
25 Exhibit 181.

1 (Deposition Exhibit Number 181 marked for
2 identification.)

3 Q. (BY MS. STILLMAN) And do you recognize
4 this document?

5 A. I recognize this as an email string. I
6 have not seen this since 2020.

7 Q. And is the top email string between you,
8 David Hewitt, Andrea Brennan and Katie Topinka?

9 A. Yes.

10 Q. And it is dated July 30th, 2020, correct?

11 A. Yes.

12 Q. And the subject is, Forward: External
13 forward: Powderhorn Transition?

14 A. Yes.

15 Q. Okay.

16 MS. STILLMAN: I'm marking document Bates
17 stamped HC00039369 as Exhibit Number 82 [sic].

18 (Deposition Exhibit Number 182 marked for
19 identification.)

20 Q. (BY MS. STILLMAN) And I will represent
21 that this document was the attachment to the email
22 previously marked as Exhibit 181.

23 Do you recognize this document?

24 A. I've not seen this document since 2020,
25 but I recognize this as an encampment transition

1 plan.

2 Q. Okay. So if you go back to Exhibit 181,
3 the second email says, from Michael Schroeder -- or
4 is it Schroeder or Schroeder?

5 A. I believe his name is Schroeder.

6 Q. Schroeder? Okay.

7 From Michael Schroeder to you, correct?

8 A. Yes.

9 Q. Okay. And that email was dated July 30th
10 of 2020?

11 A. Yes.

12 Q. Okay. And in that email he says, It has
13 been shared only internally with the Park Board's
14 exec team, park police chief and communications
15 director, correct?

16 MS. PIERCE: Objection. Vague.

17 A. That's what it reports.

18 Q. (BY MS. STILLMAN) And in the email above
19 that you -- to -- from you to Mr. Hewitt,
20 Ms. Brennan and Ms. Topinka, you write, Here's what
21 I would like to discuss with you. Correct?

22 A. That's what the email states.

23 Q. Why did you want to discuss this plan for
24 transitioning Powderhorn with Mr. Hewitt,
25 Ms. Brennan and Ms. Topinka?

1 A. I don't recall at this time.

2 Q. Did you ever talk with Mr. Hewitt about an
3 encampment transition plan for Powderhorn Park in
4 2020?

5 A. Frequently.

6 Q. Did you ever talk to Andrea Brennan about
7 a Powderhorn Park encampment transition plan in
8 2020?

9 A. It is -- Yes. I believe that Katie
10 Topinka was part of conversations regarding
11 Powderhorn and the transition.

12 MS. PIERCE: Can you read back that
13 question, please?

14 (Whereupon, the court reporter read back
15 the requested portion of the record.)

16 A. I apologize. I misheard you. So I
17 thought you were referencing Katie Topinka. And the
18 answer is, no, I don't believe that I spoke directly
19 with Andrea Brennan about any transition plan
20 regarding Powderhorn Park.

21 Q. (BY MS. STILLMAN) And just to make sure
22 that we're clear, in 2020 did you speak with Katie
23 Topinka about a transition plan for Powderhorn Park?

24 A. When I answered that Katie Topinka was
25 likely part of some conversations regarding this,

1 it's important to remember that we had multiple
2 groups working with people in Powderhorn Park.

3 Katie, as a staff person from the City of
4 Minneapolis, was oftentimes part of those meetings.
5 And it would not be uncommon for her to be
6 participating in a conversation with outreach teams,
7 for example, regarding Powderhorn Park. I bring
8 this up because there are different opportunities
9 where we may have had those conversations.

10 Q. You just mentioned that you would
11 attend -- or you attended multiple meetings to
12 discuss the transition of Powderhorn Park. Is that
13 correct?

14 A. I was --

15 MS. PIERCE: Objection. Vague as to
16 transition.

17 A. I was part of many conversations during
18 that time with City of Minneapolis, the Park Board,
19 the State.

20 Q. (BY MS. STILLMAN) When you participated in
21 these conversations, was it your practice to take
22 notes?

23 A. I don't recall taking notes in these
24 meetings.

25 Q. Going to go to Exhibit 182. If you go

1 down to paragraph h), subparagraph b., it says, A
2 one-day period will be provided for the removal of
3 any property abandoned during the first transition
4 period; remove infrastructure commensurate with
5 departures.

6 Do you see that?

7 A. I do.

8 Q. Do you know if a one-day period was
9 provided for the removal of any property abandoned
10 during the first transition period?

11 MS. PIERCE: Objection. Vague,
12 foundation.

13 A. I know that there were multiple staff from
14 different organizations, whether that be a
15 government agency or a community agency, that spoke
16 with people about what belongings they had at the
17 time and what they wanted to do with them. Part of
18 what we wanted to do was to work with people to make
19 sure they retained the items that they had with them
20 if they wished to do so.

21 I do not recall that there were any
22 situation at Powderhorn where someone requested more
23 than a day or a day's period to do that. In all of
24 the situations that I witnessed, I know that people
25 either asked us to dispose of what they considered

1 trash, or they brought those belongings with them at
2 the time.

3 Q. (BY MS. STILLMAN) How did you work with
4 people to ensure that they retained their property?

5 MS. PIERCE: Objection. Vague, compound,
6 time frame.

7 Do you mean with respect to Powderhorn?

8 MS. STILLMAN: Sure. With respect to
9 Powderhorn.

10 A. The first thing we did is had direct
11 conversations with people, asked them what they
12 wanted, if they needed assistance with anything.
13 Part of this was transportation. Part of this was
14 engagement to try and see if we can partner with
15 them, in the hope that they may work with someone to
16 accept services in the future. But the goal was to
17 work with people in the most respectful way that we
18 could, and assist them in the ways that they
19 requested we do that.

20 Q. (BY MS. STILLMAN) Was that your standard
21 practice for working with residents of an encampment
22 that was going to be swept in 2020?

23 MS. PIERCE: Objection. Vague, compound,
24 time frame.

25 A. I can report that, when I spoke with

1 people, I felt it was important to be up front and
2 honest and transparent, and I encouraged people from
3 the Hennepin County homeless access team to do the
4 same.

5 Q. (BY MS. STILLMAN) What were you up front
6 about?

7 A. If people asked me a question, I tried to
8 answer that question honestly.

9 Q. In 2020 did any resident of a homeless
10 encampment ever ask you what would happen to their
11 property if they didn't remove it prior to a sweep?

12 MS. PIERCE: Objection. Vague, compound,
13 time frame.

14 A. No. I don't recall ever getting that
15 question.

16 Q. (BY MS. STILLMAN) If you look at the
17 bottom of this same page, in sub -- in paragraph I,
18 subparagraph (b) --

19 A. Just to be clear, we're talking about
20 Exhibit 182?

21 Q. 182. Correct. It's the last -- last
22 sentence on the page -- on page 39370.

23 A. Thank you.

24 Q. It says, Within one hour but not less than
25 three hours of the termination of the notice to

1 vacate, MPRB staff and contractors will begin
2 removing remaining tents and personal property.

3 Do you see that?

4 A. I do.

5 Q. As you sit here today, do you think within
6 one hour but not less than three hours of the
7 termination of the notice to vacate was sufficient
8 time for the residents of Powderhorn Park in 2020 to
9 pack and remove their belongings?

10 MS. PIERCE: Objection. Vague, calls for
11 speculation.

12 A. Well, there's two parts to that answer.
13 The first is, this says it will begin removing
14 remaining tents, so -- so that's -- that's the first
15 thing that I see.

16 The second is, the answer is, yes, because
17 we had worked with residents of Minneapolis who were
18 temporarily staying at that encampment to transition
19 for a long period of time prior to that.

20 So as far as I am aware, there was not one
21 person who was surprised that an encampment -- or
22 Powderhorn was demobilized, because we had spent so
23 many hours working with people directly, offering
24 them options in shelter, talking with them about
25 other options, including family and seeing what

1 other things they were eligible for.

2 So there was ample time for people to
3 begin packing and moving their belongings prior to
4 any conversations on that day.

5 MS. PIERCE: We've been going about an
6 hour. Do you want to take a break? Is this a good
7 time, or --

8 MS. STILLMAN: I have like two more
9 questions. Then can we take a break?

10 MS. PIERCE: Let's do that.

11 Q. (BY MS. STILLMAN) You said you spent many
12 hours at Powderhorn Park working with residents
13 prior to the vacate date, correct?

14 A. Yes.

15 Q. Do you know approximately how many hours?

16 A. I don't know that I could give you a
17 totality of those, but it was not uncommon for me to
18 be at Powderhorn four days a week for a period of
19 more than a month.

20 Q. When did you learn the date that -- the
21 date of the -- we'll say Powderhorn East sweep was
22 going to happen?

23 MS. PIERCE: Can you read that question
24 back?

25 (Whereupon, the court reporter read back

1 the requested portion of the record.)

2 A. I don't recall the date. It was two and a
3 half years ago.

4 Q. (BY MS. STILLMAN) When did you learn the
5 date that the Powderhorn West encampment sweep was
6 going to happen?

7 A. I don't recall the -- learning the date
8 for either of those demobilizations at this time.

9 Q. Is there anything that would help you
10 refresh your recollection of when you learned the
11 date of the Powderhorn West encampment sweep?

12 A. If you had an email saying that I was
13 notified at this time, that would tell me that I was
14 notified at this time. It's just too long a period
15 of time for me to recall any date.

16 MS. STILLMAN: Okay. We can take a break.

17 MS. PIERCE: Thanks.

18 THE VIDEOGRAPHER: We are going off the
19 record. The time now is 10:06.

20 (Whereupon, a recess was taken.)

21 THE VIDEOGRAPHER: We are back on the
22 record. This is the start to Media Number 2. The
23 time is 10:20.

24 Q. (BY MS. STILLMAN) Mr. Ryan, I'm going to
25 present you what -- what has been previously marked

1 as Exhibit 130.

2 (Previously Marked Exhibit Number 130
3 introduced to the witness.)

4 Q. And this is an email from Katie Topinka to
5 Amber Turnquest, correct?

6 A. Yes.

7 Q. Okay. And it's providing meeting notes of
8 the same group -- well -- if you go under Notes --
9 do you see Notes, kind of in the middle of the
10 email?

11 A. Yes.

12 Q. Okay. And it says, Clearing of the Wall
13 will happen tomorrow, followed by Peavey.

14 Do you see that?

15 A. They appear to be two separate headings,
16 but yes.

17 Q. Okay. Sorry.

18 So -- and then it says, Park Police
19 started at 6 a.m. and prevented some confrontation.

20 Were you at the Peavey Park encampment
21 sweep?

22 A. Yes.

23 Q. Did that sweep start at 6 a.m.?

24 A. Approximately, yes.

25 Q. All right. And then right below that it

1 says, Were able to move the people to better
2 situations, relocate -- relocating a married couple
3 and finding support for a 71-year-old woman.

4 Do you see that?

5 A. Yes.

6 Q. That woman's name was Mary, right?

7 A. I don't recall her name, but I spent a lot
8 of time directly with her, and I brought her to a
9 shelter.

10 Q. Okay. She wasn't able to bring all of her
11 property with her, right?

12 MS. PIERCE: Objection. Vague.

13 A. I don't recall that's true. I assisted
14 her with packing her belongings, and I understood
15 she had everything she wanted to bring with her.

16 Q. (BY MS. STILLMAN) And you said you took
17 her to a shelter, correct?

18 A. Correct.

19 Q. Which shelter?

20 A. Sorry. I'm picturing it right now.
21 Simpson. Simpson housing shelter.

22 Q. How long did she have to pack that
23 morning?

24 A. I don't recall. I know that she needed
25 extra time, and we tried to give her as much time as

1 we could, to assist her in packing and talking to
2 her about resources that she had. She asked us to
3 call a couple people, I believe. We were looking
4 for the best options for her.

5 Q. Did she have more than an hour to pack her
6 belongings that morning?

7 A. I don't recall. I do know there was a lot
8 of pressure at that time, given some overt and
9 publicized threats of aggression from folks at the
10 Sanctuary Movement towards law enforcement and
11 social workers and park staff, that happened over a
12 period of weeks prior to this date. So there was an
13 added emphasis on safety being a concern for this --
14 this situation.

15 Q. Did Mary bring her tent with her to
16 Simpson housing shelter?

17 A. I do not recall.

18 Q. Did you drive her to Simpson housing
19 shelter?

20 A. I don't remember who drove her. I don't
21 believe she came in my vehicle.

22 Q. Did you drive anyone to -- any encampment
23 resident of Peavey Park to a different location that
24 morning?

25 A. I don't --

1 MS. PIERCE: Objection. Vague.

2 A. I don't believe so.

3 Q. (BY MS. STILLMAN) If you look at that last
4 sentence on the bottom of the page that starts, Don.
5 Do you see that?

6 A. Yes.

7 Q. Okay. Don, single adult beds are filling
8 up. Single adult female beds have some room.
9 Twenty shelter beds have been added. Some family
10 spots are available. Roughly 35. Beds will start
11 filling the colder it gets.

12 Do you see that?

13 A. I'm reading that now. Yes.

14 Q. Were single adults -- single adult beds
15 filling up on September 28th, 2020?

16 MS. PIERCE: Objection. Foundation.

17 A. This is an email from Amber Turnquest to
18 Katie Topinka, so I don't know that I'm able to
19 respond on what she's inferring [sic] to, but it
20 appears that she may have gotten this information
21 from me, o.r maybe I reported this in this meeting.
22 And if that is the case, then it looks like that's
23 possible.

24 We had ample shelter beds going into
25 mid-fall, so it would not surprise me if that was

1 accurate.

2 Q. (BY MS. STILLMAN) Approximately how many
3 people were living in encampments in September of
4 2020?

5 MS. PIERCE: Objection. Foundation. And
6 vague.

7 A. We do not have exact numbers for that,
8 specifically because we learned that there were
9 one -- many tents that were put up to make
10 encampments look larger than they were by members of
11 the Sanctuary Movement; and, two, we learned that
12 there were members of the Sanctuary Movement who,
13 while they were housed, chose to stay in the
14 encampments, what was reported to me, to make them
15 look larger than they were. So we were unable to
16 determine how many people were staying in several
17 encampments.

18 Q. (BY MS. STILLMAN) How did you learn that
19 members of the Sanctuary Movement were putting up
20 extra tents to make encampments look larger than
21 they were?

22 A. Well, in the case of Peavey, which I have
23 in front of me, there were only about five
24 unsheltered people there, and most of the people
25 there were people who were staying there. What was

1 reported to me is, they were there as a way to
2 protect Peavey Park.

3 Q. Who reported that to you?

4 A. Many people. Mostly people who were
5 unsheltered.

6 Q. Do you have names?

7 A. I do not.

8 Q. When you say "mostly people who were
9 unsheltered," do you mean residents of Peavey Park?

10 MS. PIERCE: Objection. Vague.

11 A. I heard it more at Powderhorn. There were
12 many people experiencing homelessness that were
13 really upset that there were people who were not
14 homeless staying in the encampment, and reported
15 that on a regular basis to me.

16 Q. (BY MS. STILLMAN) And I should backtrack
17 for a section -- second.

18 What is the Sanctuary Movement?

19 A. Sanctuary Movement is a group of people
20 who advocated for persons experiencing homelessness
21 to be able to stay anywhere they wanted to stay.

22 My first interactions with them was when
23 they took over a hotel in South Minneapolis, right
24 on or off Chicago. My understanding is, they set up
25 several GoFundMe accounts, collecting hundreds of

1 thousands of dollars, and they did this in an
2 attempt to further their cause.

3 Q. You said they took over a hotel off
4 Chicago. Is that the Sheraton Hotel?

5 A. Yes.

6 Q. Okay.

7 MS. STILLMAN: I'm going to go to
8 Exhibit 146, exhibit that's previously been marked
9 as 146.

10 (Previously Marked Exhibit Number 146
11 introduced to the witness.)

12 MS. STILLMAN: And does all counsel have a
13 copy of that document?

14 (Affirmative responses.)

15 Q. (BY MS. STILLMAN) Mr. Ryan, do you
16 recognize this document?

17 A. I am looking at this document at this
18 time. I don't recall what this is. It appears to
19 be an invitation to a meeting by the Metro Urban
20 Indian Directors, otherwise known as MUID.

21 Q. And if you look at the top, it says,
22 Event, external updated invitation, unsheltered
23 opioid crisis response at weekly from 11:30 a.m. to
24 1:30 p.m. on Wednesday, from April 28th, to Tuesday,
25 May 4th.

1 Do you see that?

2 A. Yes.

3 Q. In your time as the program manager of the
4 initial contact access team, did you ever go to a
5 meeting on unsheltered opioid crisis response?

6 A. I don't recall the specific meeting, but
7 it would not surprise me if I was present at one or
8 more of those meetings.

9 Q. And if you go to the page 104813. That's
10 the second page of the document. The 10th line up,
11 you'll see donald.ryan@hennepin.us, followed by
12 donald.ryan@hennepin.us.

13 Do you see that?

14 A. Yes.

15 Q. Okay. So you were emailed this
16 invitation, correct?

17 A. Yes.

18 Q. Okay. In your opinion, was there an
19 unsheltered opioid crisis in 2020 among the homeless
20 population?

21 MS. PIERCE: Objection. Vague, calls for
22 speculation.

23 A. Yes.

24 Q. (BY MS. STILLMAN) In your opinion, does
25 sweeping encampments affect the opioid crisis among

1 the homeless population?

2 MS. PIERCE: Objection. Vague, calls for
3 speculation.

4 A. The only reason we would deconcentrate a
5 temporary homeless encampment is if we had health or
6 safety issues. The opioid crisis is extensive
7 enough that it was occurring within and outside of
8 encampments.

9 Q. (BY MS. STILLMAN) Was it occurring in
10 homeless shelters in 2020?

11 MS. PIERCE: Objection. Vague, calls for
12 speculation.

13 A. I have no knowledge, not working in a
14 homeless shelter, whether or not there was opioid
15 use in a homeless shelter.

16 Q. (BY MS. STILLMAN) Did you ever ask anyone
17 if there was opioid use in a homeless shelter in
18 2020?

19 MS. PIERCE: Objection. Vague.

20 A. I had many conversations with people. It
21 was not uncommon for someone to use different
22 substances and then go into a homeless shelter. But
23 there are strict rules in most shelters that, for
24 safety reasons, illicit drug use is not allowed.

25 Q. (BY MS. STILLMAN) Do you know how many

1 encampments are currently on Hennepin County land?

2 A. No.

3 Q. Do you know how many encampments were on
4 Hennepin County land in 2018?

5 A. No.

6 Q. Do you know how many encampments were on
7 Hennepin County land in 2019?

8 A. I don't have that number.

9 Q. Do you know how many encampments were on
10 Hennepin County land in 2020?

11 A. I know there was at least one.

12 Q. What's that one?

13 A. The Greenway.

14 Q. Do you know how many encampments were on
15 Hennepin County land in 2020 -- I'm sorry -- in
16 2021?

17 A. I think you asked that. But the answer
18 is, no, I wouldn't have that information.

19 Q. And to clarify, you said you knew of at
20 least one, the Greenway. Was that referring to the
21 year 2020?

22 A. Yes.

23 Q. Okay. And do you know how many
24 encampments were on Hennepin County land in 2022?

25 A. No.

1 Q. Okay. When you were --

2 MS. STILLMAN: Can we go off the record
3 for a second?

4 THE VIDEOGRAPHER: We are going off the
5 record. The time now is 10:37.

6 (Whereupon, a short recess was taken.)

7 THE VIDEOGRAPHER: We are back on the
8 record. The time now is 10:37.

9 Q. (BY MS. STILLMAN) When you were the
10 program manager of the initial contact and access
11 team, how did you track encampments on Hennepin
12 County land?

13 MS. PIERCE: Objection. Vague.

14 A. Our homeless access team was not focused
15 on tracking encampments. We worked mostly with
16 people within shelters, drop-in centers. We set up
17 opportunities, like at the public library, to meet
18 people where they were.

19 It was not until -- there were other
20 entities that were tracking, including Healthcare
21 for the Homeless, and I saw those documents every
22 once in a while, but I was not -- that was not part
23 of the work of the homeless access team.

24 Q. (BY MS. STILLMAN) When -- while -- while
25 you -- Sorry. I'll start over.

1 When did you start going to homeless
2 encampments as part of your role as the program
3 manager of initial contact and access?

4 A. 2020.

5 Q. When in 2020?

6 A. I would estimate April 2020.

7 Q. Why did you start going to encampments in
8 April of 2020?

9 A. My role changed. At -- at that time, the
10 homeless access team had just set up a number of
11 hotels, to deconcentrate the shelter system and try
12 and bring as many people into private spaces, to
13 control COVID as much as possible. The homeless
14 access team did that. Started that between February
15 and beginning of April. I was involved in that
16 work. Around that time I was asked to focus my
17 efforts on unsheltered populations, and did so at
18 that time.

19 Q. Why were you asked to focus your efforts
20 on unsheltered populations?

21 MS. PIERCE: Objection. Foundation.

22 A. It had come to the attention that more
23 encampments were starting to pop up, and we were
24 trying to be as proactive as possible.

25 Q. (BY MS. STILLMAN) Had you been to homeless

1 encampments as part of your role as the program
2 manager of initial contact and access prior to April
3 of 2020?

4 MS. PIERCE: Objection. Asked and
5 answered.

6 A. I have been working in the field of social
7 work for about 30 years and have been in encampments
8 in Philadelphia, in Phoenix, in Minneapolis, and
9 other locations.

10 MS. STILLMAN: I am marking HC00015115 as
11 Exhibit Number 183.

12 (Deposition Exhibit Number 183 marked for
13 identification.)

14 Q. (BY MS. STILLMAN) And do you recognize
15 this document?

16 A. This is an email string that I am included
17 on.

18 Q. Who's Joseph Gladke?

19 A. Joseph Gladke is a Hennepin County
20 director.

21 Q. Hennepin County director of what?

22 A. He works in Public Works.

23 MS. STILLMAN: I'm going to be marking
24 Bates number HC00015118 as Exhibit 184.

25 (Deposition Exhibit Number 184 marked for

1 identification.)

2 Q. (BY MS. STILLMAN) And I'll represent that
3 this document is the attachment to Exhibit
4 Number 183.

5 Do you recognize this document?

6 A. I do not recognize this document.

7 Q. So if you look at Exhibit 183, you'll see
8 that the underlined name of the attachment is
9 Summary of Tents with Occupants 120420 Interested in
10 Shelter JRG.jg.xls.

11 Do you see that?

12 A. Yes.

13 Q. Have you seen a document like this before?
14 MS. PIERCE: Objection. By "this," do you
15 mean the email or the spreadsheet?

16 MS. STILLMAN: I apologize. Thank you.

17 Q. (BY MS. STILLMAN) Have you seen a document
18 like Exhibit 184 before?

19 A. Yes. I've seen many documents that look
20 like this.

21 Q. Are they usually -- Are documents like
22 Exhibit 184 usually emailed to you?

23 MS. PIERCE: Objection. Vague, time
24 period.

25 A. I have had documents like this emailed to

1 me.

2 MS. PIERCE: Can we go off the record for
3 a second?

4 MS. STILLMAN: Yeah.

5 THE VIDEOGRAPHER: We are going off the
6 record. The time now is 10:45.

7 (Discussion held off the record.)

8 THE VIDEOGRAPHER: We are back on the
9 record. The time now is 10:46.

10 MS. PIERCE: This is counsel for
11 Hennepin County. I'm going to state on the record
12 that Exhibit 184 Hennepin County is going to
13 designate as confidential, as it contains unique
14 identifying information of people experiencing
15 homelessness.

16 Thanks.

17 Q. (BY MS. STILLMAN) Who is Jessica Galatz,
18 or Galatz?

19 A. Jessica Galatz worked or works in Public
20 Work and had an assistant-like role to Joseph
21 Gladke. I do not recall her specific job
22 classification.

23 Q. In 2020 did you get weekly updates of the
24 number of tents with occupants on the Greenway
25 camps?

1 A. I don't know that they were weekly. They
2 could have been more frequently than weekly. We
3 made concerted efforts to try to get to know every
4 single person who was staying down in the Greenway
5 area, so we had -- we had many updates, trying to
6 focus on specific people.

7 Q. When you say we were making concerted
8 efforts to get to know everyone on the Greenway, who
9 is "we"?

10 A. I apologize for not being clear about
11 that.

12 So Hennepin County homeless access team
13 had folks that were at the Greenway. There was a
14 social worker by the name of Edward Weily, Weibye,
15 who is with Healthcare for the Homeless. He spent
16 time there. There were a number of nurses from
17 Healthcare for the Homeless, Hennepin County's
18 Healthcare for the Homeless; there were staff from
19 Public Work; and there was Hennepin County security
20 all present. And that was the collective "we" that
21 I was referring to. I apologize for not being more
22 specific.

23 Q. No. Not a problem.

24 So when you were program manager of the
25 initial contact access team, you said you supervised

1 two supervisors and 20 to 21 staff, correct?

2 A. Yes. So that number changed as time went
3 on, given the needs of the community and what upper
4 administration asked us to do. But, in general,
5 that is accurate.

6 Q. How many of your staff did outreach at
7 homeless encampments in 2020?

8 A. In 2019 and 2020 our work changed
9 significantly. So our focus was to be at places
10 like the Minneapolis library, every homeless
11 shelter, drop-in centers, mental health centers,
12 et cetera.

13 I mention this because of COVID. COVID
14 changed the way that we did our work. So there was
15 a -- there was a period of time where we were not
16 going to some shelters, given the requests from
17 shelters, given the needs of the community. So that
18 was a -- that was a time of change for the homeless
19 access team.

20 So knowing that, we had certain people who
21 had experience -- more experience working with
22 unsheltered individuals, given their -- their
23 professional work experience, and those folks were
24 designated to do more work in encampments.

25 Q. And about how many -- when you say "those

1 folks," about how many of them were there?

2 MS. PIERCE: Objection. "Them."

3 A. So it was possible that anyone who was a
4 social worker or a CMA from the homeless access team
5 could have been at any encampment, given the needs
6 of the community. But there were probably a smaller
7 number that were there more frequently.

8 So if you're asking me for a number, I
9 would say that there were less than five that maybe
10 spent a lot of time in encampments. Those five
11 coupled their work with nurses and social workers
12 from Healthcare from the Homeless and community
13 agencies that Hennepin County had contracts with to
14 do outreach work.

15 Prior to 2019, the majority of homeless
16 outreach work was done by community agencies through
17 contracts with Hennepin County and other public
18 entities.

19 Q. (BY MS. STILLMAN) Who are the community
20 agencies that did outreach in 2020?

21 MS. PIERCE: Objection. Foundation.

22 A. A number of agencies, included
23 St. Stephen's, Avivo, AICDC. There were some
24 members of the Minnesota Indian Women's Resource
25 Center. Those are four or five agencies of a larger

1 group of agencies with which we worked.

2 Q. (BY MS. STILLMAN) Do you know the names of
3 any of the other agencies with whom you worked?

4 A. Yes. They aren't coming to mind now, but
5 if you gave me agency names I could tell you whether
6 or not we worked with them at that time.

7 Q. Did you work with MAD DADS in 2020?

8 A. Hennepin County did not work with
9 MAD DADS.

10 Q. Okay.

11 A. MAD DADS worked with the Minneapolis Park
12 Board, so we did have some interaction with them in
13 that effort.

14 Q. So if you go to Exhibit 183, in that
15 second email, the third line, it says, I think we
16 need to save in the same spot so we can both make
17 updates.

18 A. I'm really sorry. The second email is
19 7:15 a.m.?

20 Q. Yes. From Joseph Gladke. And it's in the
21 third line. I think we need to save in the same
22 spot so we can both make updates.

23 Do you see that?

24 A. I see that sentence, yes.

25 Q. And, I anticipate we will be making

1 updates multiple times per week?

2 A. Yes.

3 Q. Did you have access to this document to
4 make changes?

5 A. I believe that I did.

6 Q. Do you know where it was saved?

7 A. I don't recall.

8 Q. Did you ever update documents that had
9 information about the number of tents in an
10 encampment in 2020?

11 MS. PIERCE: Objection. Vague, compound,
12 time frame.

13 A. I don't recall doing that.

14 Q. (BY MS. STILLMAN) What about in 2021?

15 MS. PIERCE: Same objections.

16 A. I don't believe that I would have the --
17 that was not my role in 2021, so I doubt that would
18 occur.

19 Q. (BY MS. STILLMAN) Did you share
20 information about the number of tents on the
21 Greenway with anybody who worked for the City of
22 Minneapolis in 2020?

23 A. I don't recall.

24 Q. Did you share information about the number
25 of the tents on the Greenway with anybody from the

1 Hennepin County Sheriff's Office in 2020?

2 A. Yes. I'm sure that I did, though I don't
3 recall who that would be.

4 Q. Okay. In 2020 did anybody from the City
5 share information about the number of tents on city
6 property?

7 MS. PIERCE: Objection. Vague.

8 Do you mean with him?

9 Q. (BY MS. STILLMAN) With you. Yes. Sorry.

10 A. Can you repeat the question, please?

11 Q. Yeah. In 2020 did anybody share
12 information about the number of tents in encampments
13 on city property with you?

14 A. Yes.

15 Q. Who shared that information?

16 A. I was involved in multiple meetings with
17 community and public entity partners regarding all
18 encampments in Minneapolis -- excuse me -- in
19 Hennepin County, so that information may have come
20 from any number of people in a variety of different
21 meetings.

22 Q. What are the names of the people who
23 attended these meetings with you?

24 MS. PIERCE: Objection. Misstates the
25 witness' testimony.

1 MS. SARFF: Objection. Vague.

2 A. Are you looking for a list of people who
3 were participating in those meetings?

4 Q. (BY MS. STILLMAN) Yes.

5 A. I don't know that I would be able to
6 provide a comprehensive list at that time of all
7 those people. I can tell you that they included a
8 number of community agencies in which I have already
9 noted.

10 Q. Was anybody from the City of Minneapolis
11 at these meetings?

12 A. Yes.

13 Q. Who?

14 A. Katie Topinka was one person who was at
15 these meetings. She was facilitating at least one
16 of these meetings.

17 Q. Anyone else from the City?

18 A. Amber Turnquest is on one of these emails.
19 She began work around the end of the summer, if I
20 recall correctly. There was also a representative
21 from Minneapolis Police, Sergeant Grant Snyder, who
22 was also present during many of these meetings.

23 Q. So you've said there were -- well, to
24 clarify, there were a number of different meetings
25 with different people attending each meeting?

1 MS. PIERCE: Objection. Vague, compound,
2 time frame.

3 A. Yes.

4 Q. (BY MS. STILLMAN) In 2020 did anyone from
5 the Minneapolis Park and Recreation Board share
6 information with you about how many tents were
7 located on Minneapolis Park and Recreation Board
8 property?

9 MS. PIERCE: Objection. Vague, compound.

10 A. Yes. Depending on the park, that was not
11 uncommon information to share.

12 The reason it was important to share that
13 information is, we wanted to make sure we could
14 offer options of shelter, resources, mental health
15 services, substance abuse services to the people
16 that were temporarily staying in those locations.
17 So as our role was that, it was important to get
18 that information.

19 Q. (BY MS. STILLMAN) Okay. And who from
20 the -- if I say -- I'll back up.

21 If I say MPRB, do you know who I'm talking
22 about?

23 A. Yes.

24 Q. Okay. Who from the MPRB shared the
25 information about the number of tents with you in

1 2020?

2 A. I spoke with numerous people over the
3 course of eight, nine months. Some of those people
4 included Park Police Chief Jason Ohotto, Park
5 Superintendent Al Bangoura. There were other people
6 on the Park Board staff that I had irregular contact
7 with.

8 Q. Do you remember any of those people's
9 names?

10 A. Yes. Michael Schroeder was one of those
11 people.

12 Q. So there was an encampment on the Greenway
13 in 2020, correct?

14 A. Yes.

15 Q. Is the -- When you talk about an
16 encampment on the Greenway, does the -- do you
17 consider the entire Greenway to be one big
18 encampment?

19 MS. PIERCE: Objection. Vague, calls for
20 speculation.

21 A. We had so many encampments at that time,
22 it was important to be able to distinguish different
23 encampments, so we identified those people who were
24 staying on the Greenway at that time to be one
25 encampment for purposes of planning.

1 It's also true that there were different
2 groups of people that knew each other and supported
3 each other at different locations on the Greenway.

4 I hope that fully answers your question.

5 Q. (BY MS. STILLMAN) Yes. That's helpful.

6 The encampment on the Greenway was swept
7 on December 8 -- an encampment on the Greenway was
8 swept on December 18th of 2020, correct?

9 A. Correct. We would not use the word swept,
10 but, yes, that's correct.

11 Q. What term would you use?

12 A. Deconcentrated might be a term we might
13 use.

14 Q. Would you use the term demobilized?

15 A. Demobilized is one that others have used.

16 Q. Would you use the term closed?

17 A. Closed might be -- might be a term that
18 others might use as well, yes. Especially when we
19 are talking to people who are staying in an
20 encampment, it's important for them to understand
21 that, when an encampment is closed, that they
22 understand that it is closed. And the idea is, we
23 do not want people to return to that area, which is
24 why we offer different options for shelter at
25 different locations for people.

1 So using the word closed is a term that is
2 very clear, so closed would be one that -- that I
3 might use.

4 Q. (BY MS. STILLMAN) Why do you want -- why
5 don't you want residents of an encampment to return
6 to that encampment site after it is closed?

7 MS. PIERCE: Objection. Vague.

8 A. Because we have learned that encampments
9 that grow to a certain size oftentimes become areas
10 where unsafe, unhealthy, illegal activity occurs,
11 and we do not believe that people should have to
12 live in an encampment in those unsafe, unhealthy
13 conditions, when there are other options available
14 to them.

15 Q. (BY MS. STILLMAN) What are those other
16 options available to them?

17 MS. PIERCE: Objection. Vague, compound,
18 time frame.

19 A. Shelter is one option. Hennepin County
20 has a commitment to families to make sure that,
21 regardless of shelter options, if a family is
22 needing a place to stay, that that will be
23 coordinated, regardless of shelter options.

24 But Hennepin County's made a commitment to
25 work with shelters, and we have found that that is a

1 safer place than encampments, and we want people to
2 be safe and healthy.

3 Q. (BY MS. STILLMAN) So, in your opinion, is
4 it better for someone to be indoors than in an
5 encampment?

6 MS. PIERCE: Objection. Calls for
7 speculation, vague.

8 A. I didn't repeat that. Excuse me. I
9 didn't state that.

10 In fact, since you brought up the Sheraton
11 before, that was an indoor space that I found to be
12 extremely dangerous and unhealthy for people. So I
13 would not say that any indoor location was better
14 than an external location. But when we have staff
15 that are used to working with people experiencing
16 homelessness, in a shelter setting, where we have
17 rules that are there to provide safety for
18 residents, those places are certainly safer than
19 staying outside, where we have found lots of sex
20 trafficking, drug dealing, assaultive behavior
21 happening on a regular basis. We do not find those
22 things happening in shelters, so I would say yes.

23 MS. STILLMAN: I'm going to go to what was
24 previously marked as Exhibit 88, which is Defendant
25 City of Minneapolis, Jacob Frey and Madaria

1 Arradondo Supplemental Answer to Plaintiffs'
2 Interrogatory No. 2.

3 (Previously Marked Exhibit Number 88
4 introduced to the witness.)

5 Q. (BY MS. STILLMAN) All right. If you could
6 go to page 4. And I'm just going to go through this
7 list with you.

8 I'll say this is a list provided by the
9 City of Minneapolis defendants identifying the dates
10 and locations of sweeps of encampments on public
11 property in Minneapolis since January 1st, 2016, in
12 which any city employees or agents were present.

13 Were you at the sweep of the 29th Street
14 and 12th Avenue South encampment in August of 2016?

15 MS. PIERCE: Objection. Vague. I'll also
16 state for the record that they have an objection to
17 the use of the word sweep.

18 A. No.

19 Q. (BY MS. STILLMAN) Were you at the closure
20 of the Bloomington Avenue and 25th Avenue South
21 encampment in January of 2018?

22 A. No.

23 Q. Were you at the closure of the Franklin
24 Avenue and Hiawatha Avenue encampment in December of
25 2018?

1 A. No.

2 Q. Were you at the closure of the 17th Avenue
3 and Cedar Avenue encampment in December of 2018?

4 A. No.

5 Q. Were you at the closure of the encampment
6 on 29th Avenue and Nicollet Avenue in June 2019?

7 A. No.

8 Q. Were you at the closure of the encampment
9 on 26th Avenue and Nicollet Avenue in September of
10 2019?

11 A. No.

12 Q. Were you at the closure of the Sabo Bridge
13 encampment in May of 2020?

14 MS. PIERCE: Is that on this --

15 A. That's not on this list, but the answer
16 is, yes.

17 Q. (BY MS. STILLMAN) I apologize.

18 A. I will also say that that closing took
19 more than one day, so that was not one day where
20 that occurred. That was a couple days. But, yes, I
21 was present there.

22 Q. Were you at the closing of the encampment
23 at 2601 14th Avenue South encampment in August of
24 2020?

25 A. I may have been. I don't -- I don't

1 recall where this location is, but I -- I believe
2 that I was.

3 Q. Were you at the closure of the encampment
4 at 2313 13th Avenue South in September of 2020?

5 A. I believe so.

6 Q. Were you at the closure of the encampment
7 located at -- located at 2600 Minnehaha in June of
8 2021?

9 A. No.

10 Q. Were you at the closure of the encampment
11 located at Elliot Park in July of 2021?

12 A. No. And if we're looking at the list of
13 all these, I was not present in any -- closing of
14 any encampment in 2021.

15 Q. Any of the -- to clarify, do you mean any
16 of the encampments' closures that are listed as in
17 2021 on this list, or were you not at a single
18 encampment closure at all in 2021?

19 A. Correct. I was not present in any single
20 encampment closure in 2021.

21 Q. All right. Were -- so were you present at
22 the -- and I'm -- You can put this document away for
23 a second.

24 Were you at the closure of the encampment
25 located at 17th and Cedar in May of 2020?

1 A. Yes.

2 Q. Were you at the closure of the encampment
3 located on Stevens Avenue in May of 2020?

4 A. Yes.

5 Q. Were you at the closure of the encampment
6 located at East 26th Street on July 28th of 2020?

7 A. It would be a helpful reference if that
8 was a park. Is there a park you're referring to or
9 a different location that I can reference besides an
10 address?

11 Q. It is -- was located on city property.

12 A. I believe that I was present.

13 Q. Okay. Was notice provided to the
14 residents of the 2601 14th Avenue South encampment
15 prior to the closure?

16 MS. PIERCE: Objection. Foundation and --
17 and -- well --

18 A. I -- I believe that it was, but that -- if
19 that's a city property, that would be a City of
20 Minneapolis' decision and action, and I -- I don't
21 have those details.

22 Q. (BY MS. STILLMAN) If an encampment on city
23 property was closed, you wouldn't know if notice was
24 provided to the residents?

25 MS. PIERCE: Objection. Vague, compound,

1 misstates the record, misstates the witness'
2 testimony.

3 MS. SARFF: Objection. Lack of
4 foundation, calls for speculation, and incomplete
5 hypothetical.

6 A. I think it's very possible that I was
7 given that information. One, I don't recall it now.
8 Two, our role -- "our" being Hennepin County
9 Healthcare for the Homeless, the homeless access
10 team. Our role was to try to provide options for
11 shelter and services. So when there was a closing
12 scheduled, it was important for the staff we worked
13 with to know this so we can be present and we can
14 have a response that is as much of a social work
15 response, when, possible as a decision just to close
16 a camp.

17 Q. (BY MS. STILLMAN) Was notice provided to
18 the residents of the 2013 13th Avenue South
19 encampment prior to the closure in September of
20 2020?

21 MS. PIERCE: Objection. Vague, compound,
22 speculation, incomplete hypothetical, foundation.

23 A. As I stated, I believe that all closings
24 were given notice. And I don't recall the date of
25 when that location was noticed.

1 Q. (BY MS. STILLMAN) Have you been to the
2 closure of any encampments in Hennepin County since
3 January 1st of 2021?

4 MS. PIERCE: Objection. Asked and
5 answered.

6 A. I don't believe so.

7 MS. PIERCE: Before you move, it's been
8 about an hour. Should we take a break?

9 MS. STILLMAN: Sure.

10 THE VIDEOGRAPHER: We are going off the
11 record. The time now is 11:19.

12 (Whereupon, a recess was taken.)

13 THE VIDEOGRAPHER: We are back on the
14 record. This is the start to Media Number 3. The
15 time is 11:30.

16 Q. (BY MS. STILLMAN) Were you at the closure
17 of the Powderhorn East encampment in the summer of
18 2020?

19 A. Yes.

20 Q. Were you at the closure of the Powderhorn
21 West encampment in the summer of 2020?

22 A. Yes.

23 Q. Were you -- And you said you were at the
24 closure of the Peavey Park encampment in September
25 of 2020, correct?

1 A. Yes.

2 Q. Were you at the closure of the Elliot Park
3 encampment in August of 2020?

4 A. Yes.

5 Q. Were you at the closure of the Kenwood
6 Park encampment in August of 2020?

7 A. I am not sure if I was at that
8 encampment -- at the closing of that encampment.

9 Q. Were you at the closing of the Matthews
10 Park encampment in August of 2020?

11 MS. PIERCE: Objection. Misstates the
12 record.

13 A. I don't recall being present at Matthews
14 closing.

15 Q. (BY MS. STILLMAN) Were you at the closure
16 of the mall -- the mall encampment on December 10th,
17 2020?

18 A. Yes.

19 Q. What was your role at the closure of these
20 encampments?

21 MS. PIERCE: Objection. Vague, compound,
22 time frame.

23 A. My role was to provide resources to
24 residents experiencing homelessness. Those could
25 include any number of references -- services,

1 including trying to locate shelter space for people
2 who chose to go there.

3 I was also there as a support system for
4 the Park Board, the State, the City of Minneapolis,
5 since -- especially for Park, they were -- they
6 didn't have an expertise in working with
7 homelessness. Their focus is on recreation. So I
8 was there to support them.

9 So those would be the two roles.

10 Q. (BY MS. STILLMAN) How did you provide
11 support to the Minneapolis Park and Recreation
12 Board?

13 MS. PIERCE: Objection. Vague, compound,
14 time period.

15 A. In many ways, including giving staff an
16 understanding of the difficulties that people who
17 were experiencing unsheltered homelessness go
18 through on a daily basis, having those staff
19 understand that there are many trust issues that
20 occur with people who have experienced homelessness.
21 This was an attempt to try to work with people in
22 the most respectful way that we could, and this led
23 to many conversations about how different entities
24 could do this.

25 Q. (BY MS. STILLMAN) Did these conversations

1 happen in person?

2 A. Sometimes in person. Lots of times in
3 Teams meetings or phone calls.

4 Q. Did -- In 2020 did anybody from the
5 Minneapolis Park and Recreation Board ask you to
6 help provide property storage for residents of an
7 encampment that was going to be closed?

8 MS. PIERCE: Objection. Vague, compound,
9 time frame.

10 A. I don't recall that.

11 Q. (BY MS. STILLMAN) In 2020 did anybody from
12 the Minneapolis Park and Recreation Board ask you to
13 help provide residents of an encampment that was
14 going to be closed with packing assistance?

15 MS. PIERCE: Objection. Vague, compound,
16 time frame.

17 A. I don't remember getting a request to do
18 that. That is something that different outreach
19 agencies may do as a course of wanting to help
20 someone, but I don't recall the Park Board making
21 that request, no.

22 Q. (BY MS. STILLMAN) Did anybody from the
23 Minneapolis Park and Recreation Board ask you to
24 help provide transportation to residents of an
25 encampment that was going to be closed in 2020?

1 MS. PIERCE: Objection. Vague, compound,
2 time frame.

3 A. Yes. So the State provided buses for a
4 period of time over that summer. By the end of the
5 summer they made a decision not to do that, but that
6 was transportation that was availed to residents.

7 We also had members of community agencies,
8 including AICDC, who assisted in moving folks so
9 they weren't just picking up their belongings and
10 walking down the street; they were able to get
11 transportation to go somewhere.

12 We also had members of the Sanctuary
13 Movement that would show up at a closing and assist
14 people in moving to wherever they wish to go.

15 MS. STILLMAN: I'm going to go to what was
16 previously marked as Exhibit 23. It's in the
17 binder, Tab 33.

18 (Previously Marked Exhibit Number 23
19 introduced to the witness.)

20 MS. STILLMAN: And the Bates number is
21 MPRB0014069.

22 MS. SARFF: Are we going to Tab 33 but
23 it's Exhibit 32?

24 MS. STILLMAN: Exhibit 23, at Tab 33.

25 Has everybody found it?

1 (Affirmative responses.)

2 MS. STILLMAN: Okay.

3 Q. (BY MS. STILLMAN) Do you recognize this
4 document?

5 A. I'm looking at this document now.

6 Can I get a second to confer with my
7 attorney, please?

8 MS. PIERCE: Nope. Not on the record.
9 Nope.

10 A. I -- I am looking at this document now.
11 Yes.

12 Q. (BY MS. STILLMAN) Okay. Have you seen
13 this document prior to today?

14 A. I believe that I have.

15 Q. When would that have been?

16 A. I -- I -- if I saw this document, it would
17 have been close to the date of the demobilization,
18 but I -- I don't know that I've seen this document
19 before today.

20 Q. And if you go to page 3, that ends in
21 14071 --

22 A. Yes.

23 Q. -- you see your name is listed under
24 Hennepin County Social Services, correct?

25 A. Yes.

1 Q. And you are the primary point of contact
2 for outreach?

3 A. Yes.

4 MS. PIERCE: Objection. Do you mean as
5 listed on this document?

6 MS. STILLMAN: As listed on this document.

7 A. Yes.

8 Q. (BY MS. STILLMAN) Did you act as the
9 primary point of contact for outreach at the
10 Powderhorn Park encampment closure in July of 2020?

11 MS. PIERCE: Objection. Vague.

12 A. I think most people would consider that I
13 had that role.

14 Q. (BY MS. STILLMAN) Did you consider
15 yourself to have that role?

16 MS. PIERCE: Objection. Vague.

17 A. I considered that most people saw me in
18 that role.

19 Q. (BY MS. STILLMAN) What did you do as the
20 primary point of contract -- of contact for outreach
21 at the Powderhorn Park encampment closure in
22 July 2020?

23 MS. PIERCE: Objection. Misstates the
24 record.

25 A. I had regular meetings with community

1 outreach agencies to discuss the needs of people who
2 were staying in that encampment, how to offer
3 support to them, what options were available for
4 shelter in other locations, and discuss specifically
5 if there were individual situations where we needed
6 to work in a special way with someone.

7 Q. (BY MS. STILLMAN) What was your general
8 impression of the Powderhorn Park East encampment
9 closure in July of 2020?

10 MS. PIERCE: Objection. Vague, lack of
11 specificity in the question. I mean --

12 A. That's a very vague question.

13 I would say that there appeared to be a
14 multitude of reasons why we had such a large number
15 of people confer together at Powderhorn. And that
16 was -- that was one of my -- my strongest takeaways.

17 MS. STILLMAN: I'm going to go to an
18 exhibit that was previously marked as 55.

19 (Previously Marked Exhibit Number 55
20 introduced to the witness.)

21 MS. STILLMAN: And I don't know if this
22 one is in the binder, so here's four copies.

23 MS. PIERCE: Thank you.

24 MS. STILLMAN: I don't -- I don't think it
25 was.

1 (Discussion held off the record.)

2 Q. (BY MS. STILLMAN) Do you recognize this
3 document?

4 A. Similar to documents, Exhibit 23, I -- I
5 don't recall seeing this document before. But I'm
6 looking at it now.

7 Q. Did anybody from the Minneapolis Park and
8 Recreation Board discuss a plan for how the Peavey
9 Park encampment was going to be closed in September
10 of 2020?

11 MS. PIERCE: Objection. Vague as to
12 "how."

13 A. I'm assuming you meant with me, or do you
14 mean was it discussed?

15 Q. (BY MS. STILLMAN) With you.

16 A. I was not part of the planning of the
17 closing of Peavey Park. I was notified the night
18 before that that would occur. So, no, I was not
19 part of the planning, otherwise than identifying
20 that we needed to have a presence for the small
21 number of people.

22 I want to say there were only five -- of
23 the more than 30 people that were there, there were
24 only five that we knew to be homeless at that time.
25 We wanted to make sure we were providing services to

1 them. Other than that, we were not part of the
2 planning of the -- of the demobilization of this
3 encampment.

4 Q. (BY MS. STILLMAN) Who do you mean by "we"?

5 A. I apologize. When I talk about "we," I'm
6 talking about Hennepin County and the staff that we
7 have.

8 So in this occasion, it would be Edward
9 Weibye from the Hennepin County Healthcare for the
10 Homeless, who was a social worker and worked with me
11 at that time, and myself. We were the -- we were
12 the only two people from social services who were
13 present at this -- at this event. And that was the
14 "we" that I was referring to.

15 Q. So you said that you and Edward Weibye
16 were the only employees of Hennepin County Social
17 Services at the Peavey Park encampment closure.
18 Were there employees from Hennepin County from other
19 departments at the Peavey Park encampment closure in
20 September of 2020?

21 MS. PIERCE: Objection. Foundation.

22 A. Yes. I believe that there were members of
23 the Hennepin County sheriffs that may have been
24 present, also.

25 Q. (BY MS. STILLMAN) Did you meet with MPRB

1 staff the morning of the closure of Peavey Park, the
2 Peavey Park encampment?

3 A. I would not constitute it meeting with the
4 staff. I was present at a roll call immediately
5 before, and I was introduced, with Edward, as the
6 people who would be interacting with residents
7 staying there so Park Police knew who we were.

8 Q. Did you speak at that roll call?

9 A. I may or may not have. If I -- if I did,
10 it was very minor in answer to a question. I did
11 not present in any way.

12 Q. Did you go to Park Police roll calls prior
13 to any other encampments' closures on MPRB land in
14 2020?

15 MS. PIERCE: Objection. Compound, time
16 frame.

17 A. I believe that I had been in at least one
18 other.

19 Q. (BY MS. STILLMAN) Do you --

20 A. No -- no more than three.

21 Q. Do you remember which encampment closures
22 those were?

23 A. I do not.

24 Q. Was it dark outside when you arrived at
25 Peavey Park on September 21st -- 24th of 2020?

1 A. Yes. The sun was just coming up. Yes.

2 Q. Was it raining?

3 A. It was rainy. Yes.

4 Q. How much time were the residents of the
5 Peavey Park encampment given to pack from the time
6 you got there to the time they had to be out?

7 MS. PIERCE: Objection. Vague.

8 A. I don't recall any person experiencing
9 homelessness that was given a specific time. I
10 recall one married couple that was able to collect
11 their belongings very quickly and leave in a time
12 period that was much quicker than the elderly
13 resident that you mentioned earlier. You referred
14 to her as Mary. She took more time, so we took more
15 time with her.

16 So we were looking at what each individual
17 person needed.

18 Q. (BY MS. STILLMAN) Did you speak with every
19 resident of the Peavey Park encampment on
20 September 24th of 2020?

21 MS. PIERCE: Objection. Vague,
22 foundation.

23 A. I -- I can't say with any certainty that I
24 spoke with everyone. It's very possible that
25 someone was staying there and left as soon as people

1 showed up and I never spoke with them. So I
2 can't -- I can't say that I spoke with everyone.

3 I made an intention to speak with
4 everyone. Everyone who wished to speak with me I
5 spoke with.

6 Q. (BY MS. STILLMAN) Had you been to the
7 Peavey Park encampment prior to its closure on
8 September 24th of 2020?

9 A. Yes. On numerous times.

10 Q. More than five times?

11 A. No. I think about five times is correct.

12 Q. Were those all in September of 2020?

13 A. Either August or September of 2020.

14 Q. So how did you know who the residents of
15 the Peavey Park encampment were?

16 MS. PIERCE: Objection. Vague.

17 A. We had conversations with people. We
18 talked to them.

19 Q. (BY MS. STILLMAN) On September 24th, 2020?

20 A. On every occasion that we went to Peavey
21 Park, we made efforts to speak with people who were
22 there.

23 Q. What was the last day you went to the
24 Peavey Park encampment prior to its closure on
25 September 24th, 2020?

1 A. I do not recall what date. I would
2 estimate that it was a week to 10 days before, but
3 that -- that's an estimation, given that this
4 happened two and a half years ago.

5 Q. So there might have been a resident that
6 moved into the Peavey Park encampment after you were
7 last at the encampment?

8 MS. PIERCE: Objection. Vague.

9 MS. SARFF: Objection. Calls for
10 speculation.

11 A. Anything is possible. Yes.

12 Q. (BY MS. STILLMAN) Was a perimeter
13 established at the Peavey Park encampment during the
14 closure?

15 MS. PIERCE: Objection. Vague,
16 foundation.

17 A. Yes. I recall that law enforcement from
18 Park Board established a perimeter with caution
19 tape.

20 Q. (BY MS. STILLMAN) What was your impression
21 of how the Peavey Park encampment closure went? Was
22 it successful?

23 MS. PIERCE: Objection. Vague as to
24 successful and impression.

25 A. I would say that different people would

1 have different opinions of what they would consider
2 successful to be.

3 In the role that I had, I was able to
4 connect with people there and offer them places to
5 be, that some people took us up on, and services
6 which some people took us up on. And there was
7 little to no violence, given the unfortunate method,
8 decision that Park Board had to take to do it early
9 in the morning. But they avoided that violence.

10 So given those two aspects, that people
11 weren't hurt and we were able to move people into
12 different locations, I would say, yes, the goal that
13 we had -- "we" being Hennepin County staff -- that
14 Edward and I had to offer those options to people,
15 we were successful in our role.

16 Q. (BY MS. STILLMAN) Was there anything you
17 would wish would have happened differently at the
18 Peavey Park encampment closure?

19 MS. PIERCE: Objection. Vague as to the
20 meaning of differently, and wish, I suppose.

21 MS. SARFF: Objection. Calls for
22 speculation, and incomplete hypothetical.

23 A. I was there in a support role and not as a
24 decision-maker who was planning the closure of this
25 camp, so I wouldn't be able to answer that question.

1 Q. (BY MS. STILLMAN) In your opinion, were
2 residents of the encampment given enough time to
3 pack?

4 MS. PIERCE: Objection. Vague, incomplete
5 hypothetical, calls for speculation.

6 MS. SARFF: Objection to the extent it
7 calls for a legal conclusion and expert opinion.

8 A. Yes, because we, specifically with Mary,
9 spent time with her and helped her in -- in the most
10 respectful way we could to -- to accomplish her
11 goal.

12 Q. (BY MS. STILLMAN) Did you ask for any of
13 the other encampment residents to be given
14 additional time to pack?

15 MS. PIERCE: Objection. Vague, assumes
16 facts not in evidence, misstates the record
17 testimony.

18 A. Prior to the -- any documents being put
19 together, our emphasis was that people need time to
20 pack, and that giving people time to pack was really
21 important. I believe that the Park Board and the
22 police there gave people time to do that, based on
23 what I saw.

24 Of course we only had five to seven people
25 who were actually staying there and homeless, so it

1 was -- it was easier and more quicker than
2 deconcentrating a camp that was much larger.

3 Q. (BY MS. STILLMAN) If you had seen a
4 resident who wasn't being given enough time to pack,
5 what would you have done?

6 MS. PIERCE: Objection. Vague, incomplete
7 hypothetical, calls for speculation.

8 A. That's a hypothetical situation. But I
9 would, one, encourage that person have the necessary
10 time they need. And if they needed assistance, I
11 would help them. And the way I would determine
12 whether they would need assistance is by asking them
13 if they would like help and following their
14 direction.

15 Q. (BY MS. STILLMAN) So you were at multiple
16 encampment sweeps in 2020, correct?

17 MS. PIERCE: Objection. We object to the
18 use of the word sweep rather than closure.

19 A. I was in multiple closures of encampments
20 in 2020.

21 Q. (BY MS. STILLMAN) At any of those closures
22 did you witness a resident of that -- of the
23 encampment ask for more time to pack and not be
24 given it?

25 MS. PIERCE: Objection. Compound, vague.

1 Can I have the question read back?

2 (Whereupon, the court reporter read back
3 the requested portion of the record.)

4 A. I don't believe so.

5 It's hard to distinguish, sometimes, who
6 was homeless and who was there to -- with a
7 different agenda than someone who was camping
8 outside.

9 So I don't recall any time when someone
10 said, I don't have enough time to pack and I'm
11 leaving my belongings, and they were forced to
12 leave. I don't have that recollection.

13 Q. (BY MS. STILLMAN) Going back to Peavey
14 Park encampment, did you witness any of the
15 residents of the encampment getting arrested?

16 MS. PIERCE: Objection. Vague,
17 foundation, particularly as to resident.

18 MS. WALTHER: Objection. Speculation.

19 A. I witnessed an arrest occur, at least a
20 person being detained occur, and I do not believe
21 that person was unsheltered.

22 Q. (BY MS. STILLMAN) Did you only -- did you
23 witness only one person being arrested at the Peavey
24 Park encampment closure?

25 A. I don't recall. But I know there was at

1 least one.

2 It was -- my focus at that time was not on
3 those interactions. It was assisting people in
4 packing and leaving.

5 So my -- my effort was not focused on --
6 on that -- anybody being detained. But I do recall
7 that there were a couple people who were disruptive,
8 and I recall at least one of them being detained.

9 Q. So if it was a resident of the Peavey Park
10 encampment being detained you would have known?

11 MS. PIERCE: Objection. Vague as to
12 resident.

13 A. I know that we had contact with people and
14 that we had people who are in multiple systems in
15 which we work. And I was not aware that any person
16 who we were serving as a person who needed
17 assistance in -- in housing stability was arrested.

18 Q. (BY MS. STILLMAN) After the Peavey Park
19 encampment closure, did you hear that any of the
20 residents of the Peavey Park encampment had had
21 their property destroyed?

22 MS. PIERCE: Objection. Vague as to
23 resident, and time frame, so compound.

24 A. I heard that -- in accounts on social
25 media that described that people's belongings were

1 destroyed and taken. That was not my account of
2 what I witnessed. What I heard described in
3 multiple social media settings is not what I
4 witnessed in real life.

5 Q. (BY MS. STILLMAN) Have you read the
6 Complaint in this lawsuit?

7 A. No.

8 Q. Have you read the First Amended Complaint
9 in this lawsuit?

10 A. No.

11 Q. Have you heard the name Henrietta Brown
12 before?

13 A. I don't recall.

14 Q. And I apologize if I already asked you
15 this. Were you at the Loring Park encampment
16 closure in August of 2020?

17 MS. PIERCE: Objection. Misstates the
18 record.

19 A. I was at Loring Park many times, but I
20 don't recall being at any encampment closure there.

21 MS. STILLMAN: I'm going to go to what has
22 been previously marked as Exhibit 76.

23 (Previously Marked Exhibit Number 76
24 introduced to the witness.)

25 MS. STILLMAN: Has counsel been able to

1 locate it?

2 (Affirmative responses.)

3 Q. (BY MS. STILLMAN) If you go to page 3 of
4 the document, your name is listed as a social
5 services contact.

6 A. I'm sorry. I'm not seeing that.

7 Oh, yes. I see that. Yes.

8 Q. Why would your name have been listed as
9 the social services contact if you weren't there?

10 MS. PIERCE: Objection. Foundation,
11 misstates record -- the record.

12 A. The first answer is, I don't recall being
13 there. The second is that, if I was there, my role
14 was to have the same role that I had in other
15 situations, which is offering people shelter options
16 and services that the county can offer.

17 Q. (BY MS. STILLMAN) And have you seen
18 Exhibit 76 prior to today?

19 A. I don't think so. I don't recall this
20 document at all.

21 MS. STILLMAN: I'm marking Exhibit --
22 Bates stamp number HC00028963 as Exhibit Number 185.

23 (Deposition Exhibit Number 185 marked for
24 identification.)

25 Q. (BY MS. STILLMAN) Okay. So if you'll go

1 to Exhibit 185 --

2 A. Yes.

3 Q. -- do you recognize this document?

4 A. This is an email string.

5 Q. And on the top, that email is from Jason
6 Ohotto to you, dated July 16th, 2020, correct?

7 A. Correct.

8 Q. And the email below that is an email from
9 you to Jason Ohotto, MPRB Police Sworn Group, Grant
10 Snyder, David O'Connor, Kathy Waite, Amelia Huffman,
11 Sean McGinty, Todd Loining, Kelvin Pulphus, and
12 Billy Peterson, correct?

13 A. Yes.

14 Q. All right. And in that second email
15 that's from you, on July 15th, 2020, you write,
16 Thanks, Chief. The interagency task force will
17 continue to work with the organizers to continue to
18 demobilize. I will discuss with the team at our
19 8:00 meeting, and I am available to discuss details
20 as we have them. Appreciate the partnership. Don.

21 Did I read that correctly?

22 A. Yes.

23 Q. Okay. Who was part of the interagency
24 task force?

25 A. So as I mentioned before, there are a

1 number of community-based agencies and others that
2 were focused on how we can serve people in
3 encampments. So part of this, as I read this, is,
4 we wanted to give people as much time to prepare for
5 that closure as possible. And that is one of the
6 roles that those community agencies asked for
7 frequently. They wanted to know when the closures
8 are happening so they were able to help people plan
9 and get their belongings and transition plan
10 together.

11 Q. Which interagency task force are you
12 referring to in this email?

13 A. I don't recall. There were numerous
14 meetings that occurred at times throughout the
15 entire day, so I don't recall who was at this
16 8:00 meeting.

17 Q. And you say, The interagency task force
18 will continue to work with the organizers to
19 continue to demobilize.

20 Who are the organizers?

21 A. I don't -- I don't know specifically who I
22 was referring to there. That -- that could be the
23 Sanctuary Movement. We made an attempt to work with
24 those -- those people who, at different occasions,
25 reported that they were in charge or representing

1 the Sanctuary Movement. The way that I read this is
2 that we were working with them to help them be part
3 of the solution.

4 Q. And you agreed to work with Chief Ohotto
5 to demobilize encampments, correct?

6 MS. PIERCE: Objection. Vague, misstates
7 testimony.

8 A. No. I worked with Chief Ohotto to be a
9 support subject matter expert, since the Park Board
10 didn't have a lot of expertise working with people
11 who were experiencing homelessness, and as a person
12 who is offering both shelter and services to people
13 who were temporarily staying there.

14 Q. (BY MS. STILLMAN) You say, at the end of
15 that email, Appreciate the partnership.

16 What was your partnership with Chief
17 Ohotto?

18 MS. PIERCE: Objection. Time frame,
19 compound.

20 A. I -- I think I just described it, but I'll
21 try to describe it again.

22 We had partnerships with the State of
23 Minneapolis -- with the City of Minneapolis --
24 excuse me -- the State of Minnesota, the City of
25 Minneapolis, the Park Board, all with the same

1 intention, and that was to be a support to people
2 who were camping at different locations, provide
3 those services; and if there was a need for a
4 subject matter expert, to discuss whatever it is
5 that they needed to get more information on so they
6 could do that in the right way. That was our goal.
7 I would consider that to be our partnership.

8 Q. (BY MS. STILLMAN) Why did you appreciate
9 that partnership?

10 A. Because, if we didn't have a partnership,
11 we would not have been able to be as thoughtful in
12 how this -- how any transition or working with any
13 encampment on any public land could be.

14 I'm glad that the State and the City and
15 the Park Board wanted to work together, because, in
16 the end, we were able to have thoughtful dialogue
17 about how -- what was needed in different
18 situations.

19 Q. Did you ever give Chief Ohotto advice on
20 how to facilitate an encampment closure in 2020?

21 MS. PIERCE: Objection. Vague.

22 A. No.

23 Q. (BY MS. STILLMAN) Did Chief Ohotto ever
24 ask you for advice on how to facilitate an
25 encampment closure in 2020?

1 MS. PIERCE: Objection. Vague.

2 A. No. The decision to close and to prepare
3 for that closing and the process of closing was
4 subject to the discretion of whatever public entity
5 owned that land.

6 Q. (BY MS. STILLMAN) If you were going to be
7 at an encampment closure that was on the property of
8 an entity other than Hennepin County, did you ask to
9 see a plan for what would happen the day of the
10 closure prior to the day of the closure?

11 MS. PIERCE: Objection. Vague, compound,
12 time frame.

13 A. I don't know that I would have asked for a
14 written plan. Instead, there was communication that
15 occurred verbally, often, that I was able to relay
16 to our partners in these community agencies and to
17 other social workers working for Hennepin County.

18 Q. (BY MS. STILLMAN) So you were still the
19 program manager of initial contact and access in
20 2021, correct?

21 A. Correct.

22 Q. Did you send any of your staff to
23 encampment closures in 2021?

24 MS. PIERCE: Objection. Vague.

25 A. No.

1 Q. (BY MS. STILLMAN) Did any of your staff go
2 to encampment closures in 2021 as part of their role
3 working for Hennepin County?

4 MS. PIERCE: Objection. Vague,
5 foundation.

6 A. I don't think so. I can tell you that
7 there were members of the homeless access team who
8 focused on certain encampments, including Powderhorn
9 and Peavey and others. But their role was to
10 develop an ongoing relationship with people, find
11 out what they needed, find out what kind of medical,
12 substance abuse support, shelter options they were
13 interested in. When the decision was made to close
14 that camp, there was not a need for them to be there
15 at that time.

16 MS. PIERCE: Can you read that question
17 back, please?

18 (Whereupon, the court reporter read back
19 the requested portion of the record.)

20 Q. (BY MS. STILLMAN) Okay. At any point in
21 202020 did MPRB staff stop consulting you about --
22 I'll rephrase this question.

23 At any point in 202020 did the MPRB --

24 THE COURT REPORTER: Can you clarify the
25 year, please?

1 MS. PIERCE: You said 2020 a couple
2 times.

3 Q. (BY MS. STILLMAN) At any time in 2020 did
4 the MPRB stop telling you the date they were going
5 to close an encampment?

6 MS. PIERCE: Objection. Vague,
7 foundation.

8 A. I do not recall a specific intention not
9 to tell us when there was a plan to close an
10 encampment.

11 MS. STILLMAN: I'm going to introduce
12 document Bates stamped HC00029505 as Exhibit 185.

13 Is the copy I gave you single-sided?

14 MS. SARFF: 186.

15 MS. PIERCE: 186.

16 (Deposition Exhibit Number 186 marked for
17 identification.)

18 MS. STILLMAN: Are you comfortable with me
19 giving Mr. Ryan a double-sided copy?

20 MS. PIERCE: That's fine with me.

21 But, Don, they're double-sided, so look
22 front and back if you need.

23 THE WITNESS: Thank you.

24 Q. (BY MS. STILLMAN) And do you recognize
25 this document?

1 A. I recognize this is an email string from
2 October 2020.

3 Q. And if you go to the bottom of that first
4 page --

5 A. Sorry. Do you mind giving me a second to
6 read it?

7 Q. Yeah. Of course. Take your time.

8 A. Thank you very much. I appreciate it.
9 Thank you for giving me time.

10 Yes. What -- what's the question?

11 Q. Yeah. So if you look on the bottom of
12 that first page, that ends in 505 -- Do you see
13 that? It's an email from you to Margaret King and
14 Josh Leopold?

15 A. Yes.

16 Q. And the subject is Re: External Logan
17 Park, dated October 13th of 2020. Correct?

18 A. Yes.

19 Q. And then if you turn to the next page,
20 there is an email from Margaret King to you and Josh
21 Leopold, also dated October 13th. And in the first
22 sentence -- And she says, Hi Don. Just wondering if
23 you are going to be up at Logan today to help with
24 their moves? I can be, but have a conflict from 2
25 to 3. I heard from Juneil yesterday that they're

1 moving to the Extended Stay in Bloomington today,
2 and we got a request from ZACAH (who is funding the
3 hotels) to provide transportation and are talking
4 through that internally.

5 Do you see that?

6 A. I do.

7 Q. And then she said, Wondering whether
8 you're expecting to be around up there today.

9 Do you see that?

10 A. Yes. And the sentence in between that
11 was, I think Eric is going to call David shortly.

12 And I'm assuming that's Eric Grumdahl
13 from the State and David Hewitt from Hennepin
14 County.

15 Q. So, then, if you look at your response
16 email, it says, I didn't know they were moving out
17 of Logan today. This is the first I'm hearing about
18 this. I have had much less communication with
19 Parks. I'm not sure what to do, since I wasn't
20 invited to participate in whatever they are doing.
21 Did they reach out to you?

22 Did you end up going to the Logan Park
23 encampment closure?

24 A. I don't recall.

25 Q. When did you start -- start having less

1 communication with Parks?

2 A. I -- I don't recall that, either. From --
3 from this email, I am guessing it was soon before
4 October 13th, but I -- I don't have a better answer
5 than that.

6 Q. Do you think it would have been helpful if
7 Parks had told you that Logan -- the Logan Park
8 encampment was going to be closed?

9 MS. PIERCE: Objection. Misstates the
10 record, calls for speculation, incomplete
11 hypothetical, foundation.

12 A. Margaret King was acting in a role for the
13 State of Minneapolis -- State of Minnesota. And it
14 appears that she and the two other people from the
15 State had conversations with ZACAH and the Park
16 Board about this. And that is all I can report.
17 I -- I -- I can't give any speculation other than
18 that.

19 Q. (BY MS. STILLMAN) And then if you go up to
20 the top.

21 MS. PIERCE: And I'm just going to object
22 here that that doesn't appear to be a sent email, to
23 me, because it doesn't include from. It's probably
24 a draft.

25 MS. STILLMAN: This is how it was produced

1 to us.

2 MS. PIERCE: I'm just -- I'm just, for the
3 record, clarifying, I don't believe that it appears
4 to be a sent email, so --

5 MS. STILLMAN: Well, if it was produced in
6 an incomplete fashion, this is what we were given.

7 Q. (BY MS. STILLMAN) It says, The only thing
8 that I will ask is that the State not transport
9 people to the Greenway.

10 MS. PIERCE: Same objection.

11 Q. (BY MS. STILLMAN) After an encampment
12 closure in 2020, did you not want residents of
13 the -- of that encampment transported to the
14 Greenway?

15 MS. PIERCE: Objection. Vague, compound,
16 calls for speculation.

17 A. This was in reference to the State's
18 response to people leaving that block of land at
19 23rd and 13th and walking to what was known to be
20 The Wall of Forgotten Natives.

21 As they were coming up on that scene,
22 State officials had directed that people should not
23 be able to stay there. Once a -- once a decision
24 was made that the State was going to close that
25 land, they directed people to the Greenway, without

1 having conversations with Hennepin about that. And
2 it appears that is what I am referring to here.

3 Q. (BY MS. STILLMAN) Were you upset that the
4 State transported people to the Greenway after that
5 closure without discussing it with you?

6 MS. PIERCE: Objection. Misstates the
7 record, vague.

8 A. This is a professional role that I had, so
9 I wasn't upset. I did find it inconsistent with
10 what the State was asking other public entities to
11 do.

12 Q. (BY MS. STILLMAN) In what way?

13 A. Well, the State was asking for public
14 entities to have specific locations and
15 transportation and locations for people to go. That
16 did not occur when they made the decision to clear
17 that encampment.

18 Q. Do you think it's important that there be
19 a location for residents of an encampment to go if
20 an encampment is going to be closed?

21 MS. PIERCE: Objection. Vague, incomplete
22 hypothetical, calls for speculation.

23 MS. SARFF: Objection to the extent it
24 calls for an expert opinion.

25 A. I'm not able to answer that question,

1 mostly because people will choose where they want to
2 go, regardless of whether there's a location
3 designated for them to go. I am aware there are
4 times where designated places were offered and
5 people chose to go to other places.

6 Our hope is that people will stay with
7 friends and family, and if that's not an option,
8 that shelter is available, and we make -- we,
9 Hennepin County, make extended efforts to try to get
10 people into temporary and permanent housing
11 locations.

12 MS. PIERCE: Can we go off the record,
13 please?

14 MS. STILLMAN: Yes.

15 THE VIDEOGRAPHER: We are going off the
16 record. The time now is 12:32.

17 (Whereupon, a short recess was taken.)

18 THE VIDEOGRAPHER: We are back on the
19 record. The time now is 12:34.

20 MS. STILLMAN: I am introducing document
21 Bates stamped MPLS_BERRY073548 as Exhibit 187.

22 (Deposition Exhibit Number 187 marked for
23 identification.)

24 Q. (BY MS. STILLMAN) And if you go to the
25 second page, that ends in 3549, you'll see there's

1 an email from you dated September 29th to Katie
2 Topinka, Andrea Brennan, David Hewitt and Joseph
3 Gladke.

4 Do you see that?

5 A. Yes.

6 Q. And it's about the Nicollet Avenue bridge
7 deck. And in that first bullet point you say, David
8 Hough would like to speak with Mark Ruff and confirm
9 that this makes sense for the City and the County.

10 Did you -- for the -- this Nicollet Avenue
11 Bridge -- I'll back up.

12 Was there an encampment closed on the
13 Nicollet Avenue Bridge in the fall of 2020?

14 A. Yes.

15 Q. Okay. Do you remember the date of that
16 closure?

17 A. I do not.

18 Q. Okay. Did you facilitate conversations
19 between the City of Minneapolis and Hennepin County
20 regarding the closure of the encampment on the
21 Nicollet Avenue Bridge in 2020?

22 MS. PIERCE: Object -- Sorry. Objection.
23 Vague.

24 A. Facilitate is not a word I would use. I
25 would say that I participated in a number of

1 conversations regarding this encampment.

2 Q. (BY MS. STILLMAN) With -- conversations --
3 were some of those conversations with Minneapolis
4 city employees?

5 A. Yes.

6 Q. Were one of those city employees Katie
7 Topinka?

8 A. Yes.

9 Q. Was one of those employees -- city
10 employees Andrea Brennan?

11 A. I don't recall.

12 Q. Do you recall the names of any other city
13 employees you spoke to about the Nicollet Avenue
14 Bridge encampment closure?

15 A. Yes. Grant Snyder from the Minneapolis
16 Police.

17 Q. Okay. And that third bullet point there
18 says, Make sure that we have MPD support for the
19 clearing.

20 Do you see that?

21 A. I do.

22 Q. Would you have talked to Grant Snyder
23 about getting MPD support for the clearing of the
24 Nicollet Avenue Bridge encampment?

25 A. Yes.

1 MS. PIERCE: Object.

2 THE WITNESS: I apologize.

3 MS. PIERCE: Objection. Vague.

4 A. Yes.

5 Q. (BY MS. STILLMAN) Did you get support from
6 the MPD for the clearing of the Nicollet Avenue
7 Bridge encampment in the fall of 2020?

8 MS. PIERCE: Objection. Vague.

9 A. There was a Minneapolis Police presence on
10 the street outside of this bridge.

11 MS. STILLMAN: I'm going to go to a
12 document that was previously marked as Exhibit 165.
13 It ends in 18370. Produced by Hennepin County.

14 (Previously Marked Exhibit Number 165
15 introduced to the witness.)

16 A. Thank you.

17 Q. (BY MS. STILLMAN) And can you tell me if
18 you recognize this document?

19 A. This is an email string that I initially
20 wrote on September 24th, and was later responded to
21 by David Hewitt on the same day.

22 Q. Okay. And in that top email you say that
23 you received an offer from the mayor's office
24 regarding the bridge this morning. They are
25 concerned enough about it that, if it helped

1 Hennepin to receive a letter from Mayor Frey
2 requesting that this lot be cleared given safety
3 concerns, this can be arranged quickly. Just wanted
4 to make sure David was aware of that Minneapolis
5 offer as he is considering this.

6 Is that correct?

7 A. I'm reading that, yes.

8 Q. Okay. And in that bottom email in that
9 last paragraph you say, Given the proximity to the
10 Greenway, I'll add concerns of the Nicollet bridge
11 deck.

12 Do you see that?

13 A. Yes.

14 Q. And you have discussed the safety issues
15 regarding the structure, and there are more people
16 there as of the last two days. Correct?

17 A. Yes.

18 Q. So up top it says you received an offer
19 from the mayor's office regarding this bridge this
20 morning. Who from the mayor's office gave you that
21 offer?

22 A. I don't recall.

23 Q. Was there anybody from the mayor's office
24 you usually spoke with in 2020?

25 MS. PIERCE: Objection. Vague, compound,

1 time frame.

2 A. Most of my interactions with the mayor's
3 office went through other City of Minneapolis staff,
4 though there was a person whose name escapes me now
5 who worked with Mayor Frey, and he participated in
6 some of our meetings.

7 Q. (BY MS. STILLMAN) Could you explain what
8 you mean by most of your conversations went through
9 other city staff?

10 A. Yes. Katie Topinka was my primary
11 contact.

12 Q. Okay. Did you receive any other offers
13 from the mayor's office to provide assistance to
14 expedite an encampment sweep?

15 MS. PIERCE: Objection to the use of the
16 word sweep.

17 MS. SARFF: Objection. Vague.

18 A. Could you ask the question again, please?

19 Q. (BY MS. STILLMAN) Sure. Were there any
20 other occasions on which the Minneapolis mayor's
21 office offered you assistance to expedite an
22 encampment closure?

23 MS. PIERCE: Objection. Vague, compound,
24 time frame.

25 MS. SARFF: And objection to the extent it

1 misstates his testimony regarding expediting.

2 A. I -- I don't recall another situation.
3 This was unique, given that the City was responsible
4 for the street right up until the bridge, so this
5 was a unique situation.

6 Q. (BY MS. STILLMAN) Did anybody from the
7 City of Minneapolis offer you assistance in closing
8 the Nicollet Avenue Bridge encampment other than
9 this letter from the mayor?

10 MS. PIERCE: Objection. Vague, compound,
11 time frame.

12 MS. SARFF: Objection to the extent
13 misstates facts in evidence.

14 A. No. I don't recall.

15 MS. STILLMAN: I am going to mark Bates
16 stamp number HC00037746 as Exhibit Number 188.

17 (Deposition Exhibit Number 188 marked for
18 identification.)

19 Q. (BY MS. STILLMAN) And if you turn to the
20 last page of this document, which ends in 37749,
21 that's an email from you to Joseph Gladke and
22 Jessica Galatz dated Wednesday, September 16th of
23 2020.

24 Do you see that?

25 A. Yes.

1 Q. All right. And that email reads, HC
2 Sheriffs are saying as 15 minutes ago that they want
3 this bridge cleared today and it's coming from high
4 above. Know anything about this? They called Grant
5 asking for his assistance. We have not even noticed
6 the camp. Can either of you LMK? [REDACTED]

7 By LMK did you mean let me know?

8 A. Yes.

9 Q. All right. Do you know which bridge
10 you're referring to in this email?

11 A. I -- Can you give me one second to read
12 the whole document, please?

13 Q. Absolutely.

14 A. Thank you.

15 Thank you for giving me that time.

16 The answer to your question is, I believe
17 this is the Nicollet Avenue Bridge that we are
18 referring to.

19 Q. Was it common for you to talk to the
20 Hennepin County Sheriff's Office prior to the
21 closure of an encampment, homeless encampment, in
22 2020?

23 MS. PIERCE: Objection. Vague, compound,
24 time frame.

25 A. No. This was not common.

1 Q. (BY MS. STILLMAN) Why did you talk to the
2 sheriff's office about -- in this occasion?

3 A. I don't have recollection of who reached
4 out to me to say that the sheriff's office were
5 looking to clear the bridge that day.

6 Q. Did you have a primary contact -- Well,
7 never mind. I'm going to retract that question.

8 MS. STILLMAN: I am going to introduce
9 document Bates stamped HC00037637 as Exhibit 189,
10 and then document Bates stamped HC00037638 as 190.

11 (Deposition Exhibit Numbers 189 and 190
12 marked for identification.)

13 MS. PIERCE: Counsel, again for
14 Exhibit 189, I'm going to indicate that that's a
15 draft document that was not sent because it doesn't
16 have a from, which also explains why it's -- well,
17 yeah. It's a draft, which I assume explains the
18 date, so --

19 MS. STILLMAN: And I'll just say, this is
20 how the document was produced to us.

21 Q. (BY MS. STILLMAN) So I'll represent that
22 document HC00037638 was attached to that email
23 marked as Exhibit 189. If you go to HC00037638,
24 have you seen this document before?

25 A. I believe that I have seen it in a

1 different format, yes.

2 Q. In what format did you see it?

3 A. I believe it was on a orange -- a bright
4 orange piece of paper that was posted at the
5 Nicollet Bridge encampment.

6 Q. Did that orange -- when did you -- when
7 did you see that piece of paper at the Nicollet
8 Avenue Bridge encampment?

9 A. I don't recall the date.

10 Q. Would it have been around the time of the
11 Nicollet Avenue Bridge encampment closure in 2020?

12 A. Yes. I was at that encampment on numerous
13 occasions for the 10 days prior to that encampment
14 being closed.

15 Q. Did you help draft the notice that was
16 posted at the Nicollet Avenue Bridge encampment?

17 A. No.

18 Q. Who did draft the notice?

19 MS. PIERCE: Objection. Foundation.

20 A. I don't know specifically who drafted it,
21 but I believe that would have been someone from the
22 Public Works department from Hennepin County.

23 Q. (BY MS. STILLMAN) The notice that you saw
24 at the Nicollet Avenue Bridge encampment, did that
25 notice provide anything about property storage being

1 provided?

2 MS. PIERCE: Objection. Foundation.

3 A. I don't recall.

4 Q. (BY MS. STILLMAN) Were packing materials
5 provided by Hennepin County prior to the closure of
6 the Nicollet Avenue Bridge encampment in 2020?

7 MS. PIERCE: Objection. Foundation. And
8 vague.

9 A. It was not uncommon for outreach teams to
10 bring especially sturdy, heavy-weight garbage bags
11 so people could transport their belongings. So I do
12 not know whether that happened on this occasion, but
13 I know that was -- that was a frequent ask of people
14 and follow-through from community agencies.

15 Q. (BY MS. STILLMAN) If -- Did Hennepin
16 County provide property storage for the residents of
17 the Nicollet Avenue Bridge encampment in 2020?

18 MS. PIERCE: Objection. Vague, misstates
19 the record, foundation.

20 A. I am not aware of whether or not anyone
21 stored belongings from this encampment.

22 Q. (BY MS. STILLMAN) If residents did store
23 their belongings with Hennepin County, would there
24 be a written record of it?

25 A. Yes.

1 THE WITNESS: Excuse me. Excuse me.

2 MS. PIERCE: Foundation, incomplete
3 hypothetical, calls for speculation.

4 Q. (BY MS. STILLMAN) Where would that written
5 record be?

6 MS. PIERCE: Objection. Foundation,
7 incomplete hypothetical, calls for speculation.

8 A. That record was kept with the Public Works
9 department.

10 Q. (BY MS. STILLMAN) Have you ever
11 transported the property of an encampment resident
12 to a Hennepin County storage space?

13 MS. PIERCE: Objection. Vague, compound,
14 time period.

15 A. No.

16 Q. (BY MS. STILLMAN) Have any of your staff
17 ever transported an encampment resident's property
18 to a Hennepin County storage space?

19 MS. PIERCE: Foundation, vague, compound,
20 time frame.

21 A. No.

22 Q. (BY MS. STILLMAN) If they had would they
23 have told you?

24 MS. PIERCE: Objection. Incomplete
25 hypothetical, calls for speculation, foundation.

1 A. I would have been aware, because the staff
2 from the homeless access team was not present during
3 closures.

4 Q. (BY MS. STILLMAN) Okay. Was anyone from
5 the Hennepin County Sheriff's Office at the closure
6 of the Nicollet Avenue Bridge encampment in 2020?

7 A. I believe so, but I can't recall.

8 Q. What is your understanding of the Hennepin
9 County Sheriff's Office's role at encampment
10 closures?

11 MS. PIERCE: Objection. Vague, compound,
12 time frame, foundation.

13 A. My understanding is, to provide a safe
14 environment so that the clearing or closure could
15 occur.

16 MS. STILLMAN: I'm going to introduce
17 document Bates stamped HC00022695 as Exhibit 191.

18 (Deposition Exhibit Number 191 marked for
19 identification.)

20 MS. STILLMAN: Sorry. Does that say
21 22695?

22 MS. PIERCE: Uh-huh. Yes.

23 MS. STILLMAN: Okay.

24 Q. (BY MS. STILLMAN) And do you recognize
25 this document?

1 A. This appears to be an email chain.

2 Q. If you go to page 2 of the document that
3 ends in 22696, there is, at -- at the top there is
4 an email from you to David Hewitt, dated Tuesday,
5 June 2nd of 2020.

6 Do you see that?

7 A. Yes.

8 Q. And if you look below that, there is an
9 email from David Hewitt to you, also dated June 2nd
10 of 2020.

11 Do you see that?

12 A. Yes.

13 Q. And in that email Mr. Hewitt said, Just
14 connected with Margo on this. She's a little
15 concerned about security staff's ability to have
16 these conversations, especially in light of recent
17 developments and how they might be received.

18 And, Would you be able to provide some
19 guidance and support on how to do this in light of
20 all that's gone on? Wondering if you might be able
21 to accompany to the Greenway to help with the
22 communication (or advise on who best could)?

23 Do you see that?

24 A. Yes.

25 Q. Do you think -- and then -- I apologize.

1 Then, in your top email on that page, on
2 page 2, to David Hewitt, you say, It would be better
3 for community outreach team to go do this, but I am
4 certainly willing to do that.

5 Do you think it's better for street
6 outreach teams to communicate with homeless
7 encampment residents than law enforcement officers?

8 MS. PIERCE: Objection. Vague, compound,
9 time frame, incomplete hypothetical, calls for
10 speculation.

11 MS. SARFF: Objection to the extent it
12 calls for an expert opinion.

13 A. I think most of the time that is true.
14 One, there isn't a level of threat that some people
15 residing in an encampment may feel if they are
16 working with someone other than law enforcement.
17 Second, those folks have experience and training to
18 do just that.

19 But with that said, there are always
20 exceptions. I can give you exceptions including
21 veterans on Hennepin County security and law
22 enforcement who did an outstanding job interacting
23 with other veterans that were only able to accept
24 more trust because they were veterans.

25 So every situation is different. If

1 you're asking me to generalize, I would say, yes,
2 that is more likely true than not.

3 Q. (BY MS. STILLMAN) And you see in that
4 email you say, And the obvious question for me is,
5 what do we do if they refuse to move their tent?
6 What is our response?

7 Do you see that?

8 A. Can you direct me to where in this
9 document that is?

10 Q. Oh. So in that same email body, on
11 page 2.

12 A. Page 2. 4:03?

13 Q. Yes. 4:03 p.m. email.

14 A. Okay.

15 Q. What do you do if you ask a resident of a
16 homeless encampment to move their tent and they
17 refuse?

18 MS. PIERCE: Objection. Vague, compound,
19 time frame, incomplete hypothetical, calls for
20 speculation. Possibly calls for expert opinion.

21 A. The answer is, very little. We were
22 encouraging people to move, given the COVID
23 pandemic, and we would encourage people to do that,
24 but we -- we -- excuse me -- "we" being Hennepin
25 County social service staff and those doing the same

1 role from Healthcare for the Homeless, would not
2 force people to move their tents. But we would
3 encourage people to do it for social distancing.

4 MS. PIERCE: I think his tape is about to
5 run out, Rebecca, so we should take a break.

6 MS. STILLMAN: Okay. Do we want to take a
7 lunch break?

8 MS. PIERCE: Let's do it.

9 MS. STILLMAN: Okay.

10 THE VIDEOGRAPHER: We are going off the
11 record. The time now is 1:03.

12 (Whereupon, a recess was taken.)

13 THE VIDEOGRAPHER: We are back on the
14 record. This is the start to Media Number 4. The
15 time is 1:56.

16 MS. STILLMAN: All right. And we'll just
17 note for the record that Luke Grundman has left, and
18 Teresa Nelson from the ACLU, counsel for plaintiffs,
19 is now present.

20 Q. (BY MS. STILLMAN) You were at the closure
21 of the encampment on the Greenway in December of
22 2020, correct?

23 A. Yes.

24 Q. Were you involved in the decision to close
25 that encampment?

1 A. I was in meetings where that was
2 discussed. I was not part of the decision to close
3 it.

4 Q. Who else was at those meetings?

5 MS. PIERCE: Objection. Vague, compound,
6 time frame.

7 A. My guess is there were many meetings
8 without me being present, but I was in meetings with
9 David Hough and David Hewitt when that subject
10 matter was discussed.

11 Q. (BY MS. STILLMAN) Was David Hough the one
12 who made the final decision to close the Greenway
13 encampment?

14 MS. PIERCE: Objection. Sorry.
15 Foundation.

16 A. I would imagine he made the ultimate
17 decision after receiving feedback and
18 recommendations from others.

19 Q. (BY MS. STILLMAN) Were you one of the
20 others from whom he received feedback and
21 recommendations?

22 MS. PIERCE: Objection. Foundation.

23 A. I was part of those meetings. I did not
24 provide advice about whether or not the encampment
25 should be closed.

1 Q. (BY MS. STILLMAN) Why not?

2 A. I wasn't asked to do so. It wasn't my
3 role.

4 Q. Did you go to the Greenway encampment in
5 2020, prior to the closure in December of 2020?

6 MS. PIERCE: Objection. Asked and
7 answered.

8 A. I was at the Greenway encampment numerous
9 times a week for weeks prior to its closure.

10 Q. (BY MS. STILLMAN) Were any of your staff
11 at the Greenway encampment prior to its closure?

12 MS. PIERCE: Objection. Foundation,
13 vague, compound.

14 A. There were Hennepin County staff from the
15 homeless access team, Healthcare for the Homeless,
16 and multiple contracted community agencies who were
17 present on the Greenway during that time.

18 Q. (BY MS. STILLMAN) At the meetings where
19 you were present when you were discussing the
20 possible closure of the Greenway encampment, who
21 gave recommendations that it should be closed?

22 A. I believe those conversations happened in
23 meetings when I wasn't present.

24 Q. So you weren't present at any meetings
25 where they were -- there was a discussion about

1 whether or not to close the Greenway encampment in
2 2020?

3 MS. PIERCE: Objection. Misstates
4 previous testimony.

5 A. No. I didn't say that. I said that I
6 think there were meetings that I was present at and
7 other meetings I was not present at. I do not
8 recall who suggested in a meeting, we need to close
9 the Greenway.

10 Q. (BY MS. STILLMAN) Who else attended these
11 meetings at which you were present in which there
12 were discussions about closing the Greenway in 2020?

13 MS. PIERCE: Objection. Asked and
14 answered, vague, compound, time frame.

15 A. In addition to the two people that I
16 mentioned, there were others who participated in a
17 as-needed basis. There were some people, including
18 Joe Gladke, who we've talked about, Lisa Cerney,
19 C-e-r-n-e-y, who were present at some of those
20 meetings as well.

21 Q. (BY MS. STILLMAN) Can you think of anyone
22 else?

23 A. I can't at this time.

24 Q. Was Sheriff Hutchinson present at any of
25 those meetings?

1 A. No.

2 Q. Were you consulted as to what date the
3 Greenway encampment should be closed in 2020?

4 MS. PIERCE: Objection. Vague.

5 A. Consulted. No, I would say I was not
6 consulted on what day we should close.

7 Q. (BY MS. STILLMAN) Did you have discussions
8 with anybody about what day you should close the
9 encampment on the Greenway in 2020?

10 A. I received information that we were going
11 to close on a certain day, and I followed through
12 with that direction.

13 Q. From whom did you receive that
14 information?

15 A. As I said, I think there were many people
16 who participated in those conversations, and I think
17 the ultimate decision was made by David Hough.

18 Q. Yeah. From whom did you receive the
19 information about the date of the closure?

20 A. I don't recall.

21 Q. Prior to the closure of the Greenway
22 encampment in December 2020, did you provide any of
23 the residents with packing materials?

24 MS. PIERCE: Objection. Vague, time
25 frame, compound.

1 A. I did not directly. I did have
2 conversations with community partners, including
3 those community agencies we already discussed, that
4 there would be people who may need that, and those
5 community agency partners I know were part of that
6 providing of moving materials.

7 Q. (BY MS. STILLMAN) Did you witness any of
8 these community agency partners giving residents
9 packing materials?

10 MS. PIERCE: Objection. Vague, compound,
11 time frame.

12 A. I was with community agencies all the
13 time. I don't recall if I was there when they were
14 asked or offered for packing material.

15 Q. (BY MS. STILLMAN) And just to clarify,
16 when you say community agencies we discussed
17 earlier, you're referring to St. Stephen's, Avivo,
18 AICDC, Minnesota Indian Women's Resource Center?

19 A. Amongst others, yes.

20 Q. Amongst others.

21 Since we discussed that last, have you
22 thought of any other community organizations that
23 were part of that group?

24 A. I haven't considered that question since
25 we broke for lunch. I apologize.

1 Q. Not a problem. Just thought I would
2 check.

3 Did you offer residents of the Greenway
4 encampment any options for property storage prior to
5 the closure of the encampment in 2020?

6 MS. PIERCE: Objection. Vague, compound,
7 time frame.

8 A. We discussed that, if -- Excuse me. When
9 I say "we," I mean the folks from Hennepin County
10 who were responsible for individual interactions
11 with people who were temporarily camping there. We
12 wanted people to be aware that the closure was going
13 to happen at sometime in the future. We had those
14 conversations on a regular and frequent basis.

15 Q. (BY MS. STILLMAN) With the residents?

16 A. With the residents.

17 MS. PIERCE: Objection. Vague as to
18 resident.

19 A. With the residents of Hennepin County who
20 were temporarily camping at that encampment.

21 Q. (BY MS. STILLMAN) Where was the property
22 storage location that you offered?

23 MS. PIERCE: Objection. Vague.

24 A. I was not part of that process of storing
25 belongings, so I'm not clear where that storage

1 facility was.

2 Q. (BY MS. STILLMAN) Who was part of that
3 process of storing belongings?

4 MS. PIERCE: Objection. Foundation.

5 A. My best knowledge is that it was a
6 partnership between Public Works and the Hennepin
7 County security team.

8 Q. (BY MS. STILLMAN) If an -- a resident of
9 the Greenway encampment, in December of 2020, told
10 you that they wanted their property stored, what
11 would you have done?

12 MS. PIERCE: Objection. Incomplete
13 hypothetical, calls for speculation, assumes facts
14 not in evidence.

15 A. The good news about us partnering with
16 numerous Hennepin County departments is, we had good
17 lines of communication open, so we were able to
18 relay -- we would have been able to relay that to
19 someone in security, someone in Joe Gladke's area,
20 to ensure that that happened.

21 Q. (BY MS. STILLMAN) Did you make any
22 referrals for property storage for any of the
23 residents of the Greenway encampment in December of
24 2020?

25 MS. PIERCE: Objection. Vague.

1 A. I was never asked for that.

2 Q. (BY MS. STILLMAN) Were any of your staff
3 ever asked for that?

4 MS. PIERCE: Objection. Foundation,
5 vague.

6 A. I'm not aware that they were.

7 Q. (BY MS. STILLMAN) If a resident of a -- of
8 the Greenway encampment had property stored by
9 Hennepin County in December of 2020, would there be
10 a written record of that?

11 MS. PIERCE: Objection. Foundation,
12 incomplete hypothetical, assumes facts not in
13 evidence, calls for speculation.

14 A. I believe that there was a tracking method
15 for all belongings that were to be stored for
16 someone.

17 Q. (BY MS. STILLMAN) Why do you believe that?

18 A. Because we had a detailed plan about how
19 this would happen -- Excuse me. I said "we" again.

20 Because I was present at meetings where
21 we -- the team that was working on the Greenway
22 response wanted to make sure to follow the
23 procedure, and I know that was part of the
24 procedure, of tracking what belongings belonged to
25 what person.

1 Q. Have you ever seen a document that tracked
2 the belongings of Greenway encampment residents?

3 A. I don't recall that I did. It was not
4 part of my role.

5 Q. Was part of your role to help residents of
6 the Greenway encampment pack their belongings on the
7 day of the closure?

8 MS. PIERCE: Objection. Vague.

9 A. No. If someone asked me for help
10 specifically, of course I would help, if someone
11 wished me to do that. But that was not part of the
12 role I was assigned to.

13 Q. (BY MS. STILLMAN) What role were you
14 assigned for that day?

15 A. I was assigned to interact with people who
16 I had developed relationships with, to allow them to
17 be aware that the closing was happening at that
18 time; to, again, offer them shelter space and any
19 other services they may feel they need at that time,
20 whether that be medical, substance-related.
21 Whatever it is that they felt they needed.

22 Q. Were there people from Hennepin County
23 there who were assigned to help residents pack?

24 MS. PIERCE: Objection. Foundation,
25 vague.

1 A. No. What we intentionally did was meet
2 with people on a daily basis and remind them that
3 this closure was imminent, even if we didn't have
4 that date. So going back three to four weeks, we
5 had been encouraging people to find other places to
6 be, to encourage people to -- we offered to help
7 numerous people move into other locations. We went
8 from well over a hundred people down to in the teens
9 by the time the Greenway had closed, by moving
10 people into temporary and permanent housing
11 situations.

12 So there was a small number of people
13 there at the actual time of the closure. As a
14 result, it didn't appear that we needed someone
15 there to assist people in packing.

16 The next part of that answer is, there
17 were numerous people from the Sanctuary Movement who
18 were there with trucks. And they knew we were
19 moving down the Greenway. They were going ahead of
20 us and assisting people in packing up before
21 Hennepin County staff even got to certain locations.

22 Q. (BY MS. STILLMAN) So you said part of your
23 role the day of the closure was to talk to people
24 about shelter options, correct?

25 A. Yes. I was a familiar face. People knew

1 who I was. We wanted people to have interaction
2 with me before law enforcement, if possible.

3 Q. Why is that?

4 A. We wanted it to be as safe and calm of a
5 process as we could.

6 Q. Would -- How did talking to you before
7 having residents talk to law enforcement make it a
8 safer and calmer process?

9 MS. PIERCE: Objection. Vague.

10 A. Well, my experience is that there are a
11 number of people in the Hennepin County security
12 team and the Hennepin County Sheriff's Office that
13 do an excellent job of de-escalation and working
14 with people. But a lot of those folks may not have
15 had previous interaction with those camping at the
16 Greenway. So having a familiar face who's able to
17 give the same information that I had provided for
18 the last three to four weeks made a difference in
19 understanding that this was happening.

20 Q. (BY MS. STILLMAN) Why do you use the term
21 camping for -- when you're discussing the residents
22 who were living on the Greenway?

23 MS. PIERCE: Objection. Vague.

24 A. Mostly because people that I work with who
25 are experiencing homelessness and they're staying

1 outside, they call it camping, so I'm using their
2 language.

3 Q. (BY MS. STILLMAN) Did all of the residents
4 of the Greenway encampment that you spoke with the
5 day of the encampment closure choose to go to a
6 shelter, homeless shelter?

7 MS. PIERCE: Objection. Foundation,
8 compound.

9 A. No. There were many people that chose to
10 leave and we were not aware of where they went. So
11 of the -- I don't have exact numbers in my head
12 right now, but of the nine or ten people that were
13 still there and packing up as the closure was
14 happening, more than half I was not aware of where
15 they ended up moving to.

16 Q. (BY MS. STILLMAN) Did you confirm that
17 there was adequate, safe alternative shelter for all
18 of the residents of the Greenway encampment for the
19 day it was closed?

20 MS. PIERCE: Objection. Vague, compound.
21 Calls for a legal conclusion as to adequate, safe.

22 A. I know that we did that, and I don't
23 recall what availability we had on that day.

24 Q. (BY MS. STILLMAN) Who would have that
25 information?

1 A. Just to accurately answer your question,
2 are you asking me who would have the historical data
3 about what shelter availability was open on the 18th
4 of December, 2020?

5 Q. Yes.

6 A. Unless it's in an email, I'm not sure who
7 would track that information.

8 Q. Did you know the number of available
9 shelter beds on December 18th of 2020?

10 MS. PIERCE: Objection. Asked and
11 answered.

12 A. I don't recall what those dates -- what
13 those numbers were at the time.

14 Q. (BY MS. STILLMAN) Would you have checked
15 about shelter availability before you got to the
16 encampment that day?

17 MS. PIERCE: Objection. Asked and
18 answered.

19 A. That is a common thing that I have done in
20 situations like that, so I would not be surprised if
21 I did that.

22 Q. (BY MS. STILLMAN) How do you find out
23 about the number of available shelter beds?

24 MS. PIERCE: Objection. Vague, compound,
25 time frame.

1 A. We work with shelter providers who have a
2 system of letting us know -- "us" being Hennepin
3 County -- what availability is open for each
4 morning. That's communicated and available for
5 people to get that information on that day. There's
6 a second -- a second group of numbers that come out
7 once -- whether reservations are --

8 Excuse me. Let me restate that.

9 If a reservation was not followed through
10 with and an open bed existed, later in the day they
11 would have a different set of numbers about who they
12 could offer that bed to, so if there were people
13 looking for a place to stay in shelter, we wouldn't
14 have an open bed held open by someone who didn't
15 show up for a reservation.

16 So there were two different times during
17 the day where we might have those numbers for
18 shelter availability.

19 Q. (BY MS. STILLMAN) How was this information
20 communicated to you?

21 MS. PIERCE: Objection. Foundation.

22 A. I may make a phone call. I might send an
23 email. I might talk to a colleague who may provide
24 this information to me.

25 Q. (BY MS. STILLMAN) So you weren't getting

1 this information emailed to you every day?

2 A. There were times where I definitely
3 received email information about shelter
4 availability. I did not receive it every day. And
5 I worked with other people who I know knew those
6 numbers every day.

7 Q. Who sent you the emails with the shelter
8 availability?

9 A. I don't recall.

10 Q. Who are the people you worked with who had
11 those numbers every day?

12 A. There were a number of people from the
13 office to end homelessness that moved into the
14 housing stability department. Again, our focus was
15 working directly with residents. So that
16 information came from different people at different
17 times.

18 Q. So you wouldn't necessarily know the
19 number of shelter beds available the day of an
20 encampment sweep?

21 MS. PIERCE: Objection. Misstates prior
22 testimony.

23 A. I think I had mentioned on multiple
24 occasions I would learn what that availability was
25 in the morning and communicate that out to partners

1 that we had, whether those be internal community
2 partners or government agencies. And any time
3 someone asked me for that information I was able to
4 gather it.

5 Q. (BY MS. STILLMAN) How would you gather it
6 if somebody asked you for that information?

7 MS. PIERCE: Objection. Compound.

8 A. As I stated before, there were multiple
9 ways to do that, but I would call somebody who would
10 be able to check on the numbers and get back to me
11 and let me know.

12 Q. (BY MS. STILLMAN) Did you ever call Adult
13 Shelter Connect?

14 A. Yes.

15 Q. Did you call Adult Shelter Connect on
16 December 18th of 2020?

17 MS. PIERCE: Objection. Asked and
18 answered.

19 A. I don't recall.

20 Q. (BY MS. STILLMAN) You mentioned shelter
21 providers communicated availability. Is that
22 correct?

23 A. Can you repeat the question, please?

24 Q. Is it -- You mentioned that shelter
25 providers communicated bed availability; is that

1 correct?

2 MS. PIERCE: Objection. Foundation.

3 A. We would -- Hennepin County would get the
4 numbers from shelter providers, so that's how we got
5 that information.

6 Q. (BY MS. STILLMAN) Who are those shelter
7 providers?

8 A. There's a multitude of shelter
9 availability in Minneapolis. Some are larger
10 shelters, like Salvation Army, that can house up to
11 hundreds of people. Some are smaller, like Simpson
12 Housing. Some are church-based. If you're looking
13 for a couple examples of shelters, those are two
14 examples of shelters we use regularly.
15 St. Stephen's had a shelter for a long period of
16 time.

17 Q. Do you know the names of any of the
18 church-based shelters?

19 A. I don't have that information with me
20 right now. I do know that, during the winter
21 months, we expand those shelter availability so we
22 can offer as much shelter options to people as
23 possible.

24 MS. STILLMAN: I'm going to enter document
25 Bates stamped HC00019692 as Exhibit 192.

1 I got ahead of myself.

2 (Deposition Exhibit Number 192 marked for
3 identification.).

4 MS. STILLMAN: And then enter document
5 Bates stamped HC00019694 as Exhibit 193.

6 (Deposition Exhibit Number 193 marked for
7 identification.)

8 MS. PIERCE: Are you going to show him all
9 the attachments to the email or just the one?

10 MS. STILLMAN: I had printed all the
11 attachments in case you wanted them.

12 MS. PIERCE: Yeah. We'd like them. If
13 you're going to show him a document, let's show him
14 a complete document.

15 (Discussion held off the record.)

16 MS. STILLMAN: I'm marking document Bates
17 stamped HC0001965 as Exhibit 194, and then marking
18 document Bates stamped HC00019696 as Exhibit 195.

19 (Deposition Exhibit Numbers 194 and 195
20 marked for identification.)

21 MS. STILLMAN: And I will represent that
22 documents marked Exhibit 193, 194 and 195 are the
23 attachments to the email that's been marked as
24 Exhibit 192.

25 Q. (BY MS. STILLMAN) Do you recognize this

1 email that's been marked as Exhibit 192?

2 A. Yes.

3 Q. Okay. What is this email?

4 A. This is an email from an individual in the
5 community who were informing elected persons about
6 his perception of what was happening on that day.

7 Q. And if you go to Exhibit 193, do you know
8 what this is a picture of?

9 A. This is a notice by the Hennepin County
10 Regional Railroad Authority.

11 Q. Have you seen this notice before?

12 A. Yes.

13 Q. Where did you see it?

14 A. I've seen it in person down on the
15 Greenway.

16 Q. When?

17 A. In the month of December 2020.

18 Q. And this notice was posted on
19 December 15th of 2020, correct?

20 A. That is what is documented here.

21 Q. And it says that, if tents and belongings
22 aren't removed by December 17th, they will be
23 removed by the -- by HCRRA staff. Correct?

24 A. Yes.

25 Q. And HCRRA stands for Hennepin County and

1 the Regional Railroad Authority, correct?

2 A. Yes.

3 Q. Okay. So encampment residents were given
4 approximately 48 hours' written notice that they had
5 to vacate the Greenway encampment, correct?

6 MS. PIERCE: Objection. Vague as to the
7 meaning of resident. And misstates -- and misstates
8 the document. Pardon me.

9 A. If the document is accurate, they had more
10 than 72 hours' notice, because Exhibit 194 says that
11 this is posted at 6:49 a.m. on the 15th. And I
12 understand that the official closing of the Greenway
13 occurred after this time on the 18th, so that would
14 be over 72 hours.

15 Q. (BY MS. STILLMAN) But the notice said the
16 17th, correct?

17 A. I'm sorry?

18 Q. The notice said December 17th, correct?

19 A. They were -- yes. That's exactly right.
20 They were informing people that they needed to
21 remove their belongings because the next morning
22 that was -- that was the plan, the closure was
23 planned for that day.

24 Q. And then the notice also says any garbage,
25 refuse or debris is subject to immediate disposal,

1 correct?

2 A. Correct.

3 Q. How do you determine what is garbage,
4 refuse or debris?

5 MS. PIERCE: Objection. Vague, compound,
6 calls for speculation, incomplete hypothetical.

7 MS. SARFF: Objection to the extent it
8 calls for a legal conclusion.

9 A. I think that's a multi-example answer.

10 The first is that we communicated with the
11 people who were temporarily staying on the Greenway
12 and asking them what was garbage and what was not
13 garbage.

14 So one of the efforts that Hennepin County
15 took was to do cleanups on a periodic basis where
16 they removed enormous amounts of garbage. By
17 mid-December we had reports of rat infestations, and
18 the attempt to remove garbage on a regular basis was
19 something that camp -- people who were camping there
20 told us they really appreciated. So the first thing
21 we did was, we talked to people to find out what
22 they considered to be their belongings, what they
23 considered to be trash. And as we were doing those
24 periodic trash removals, we did not throw anything
25 away that someone said was their property and they

1 considered to be their belonging.

2 The second was, we had to make some
3 judgment calls about that. As people were on the
4 Greenway, every single day -- I'm going to use an
5 obvious answer -- example here. But if there's a
6 bottle that's empty and just sitting on a corner,
7 where there's the same amount of liquid that's been
8 there for three days, I think the reasonable person
9 would consider that would be garbage.

10 So were there -- were there times where
11 belongings were removed, Hennepin County said it was
12 garbage? No, I'm not aware that that occurred
13 during those times we did those cleanups.

14 Q. (BY MS. STILLMAN) Are you aware of a
15 written policy that Hennepin County has that
16 describes how to identify whether something's
17 garbage, refuse or debris?

18 MS. PIERCE: Objection. Assumes facts not
19 in evidence, calls for a legal conclusion.

20 A. I don't recall that description of that
21 document. If that existed, I could review it, but I
22 don't recall what that is at this time.

23 Q. (BY MS. STILLMAN) But you're not aware if
24 one existed?

25 A. I could --

1 MS. PIERCE: Same objections.

2 A. I could not describe it now, because I
3 can't recall what that said, if it exists.

4 Q. (BY MS. STILLMAN) So to the best of your
5 knowledge, was it up to the discretion of the
6 Hennepin County employees who were present at the
7 encampment closure to determine whether something
8 was garbage, refuse or debris?

9 MS. PIERCE: Objection.

10 A. No. Sorry.

11 MS. PIERCE: Objection. Compound,
12 foundation.

13 MS. SARFF: Objection to the extent it
14 calls for a legal conclusion.

15 A. No. As I stated, we always went to those
16 people who were camping at the time, and we always
17 asked them first what was considered to be their
18 property, if they wanted to retain it, or if they
19 wanted to have it stored or thrown away. So the
20 person who was camping there were the people telling
21 us whether it was garbage or not garbage.

22 Q. (BY MS. STILLMAN) And are you aware if
23 that instruction to ask a resident if it's garbage
24 or not is written down anywhere?

25 MS. PIERCE: Objection. Foundation.

1 A. I don't recall. It is something we talked
2 about frequently.

3 Q. (BY MS. STILLMAN) Who is "we"?

4 A. Thank you for asking me to clarify that.

5 So those are discussions that I had with
6 people at Hennepin County, working on the Greenway
7 efforts. Those would include Jessica Galatz, Joe
8 Gladke, Hennepin County security officers,
9 et cetera. Healthcare for the Homeless, social
10 workers. They would have been -- all of them could
11 have been part of that conversation to make sure
12 we're asking residents who were temporarily camping
13 there that -- whether or not those were their
14 belongings.

15 Q. Do you remember the names of any of those
16 Hennepin County Healthcare for the Homeless social
17 workers?

18 A. Edward Weibye is one of them.

19 Q. Do you remember any other names?

20 A. No.

21 Q. Was anyone from the Minneapolis Police
22 Department present at the closure of the Greenway
23 encampment on December 18th of 2020?

24 MS. PIERCE: Objection. Foundation.

25 A. I don't believe so.

1 Q. (BY MS. STILLMAN) What would happen to an
2 encampment if a homeless encampment was established
3 on the Greenway tomorrow?

4 MS. PIERCE: Objection. Foundation,
5 vague.

6 What do you mean what would happen?

7 Q. (BY MS. STILLMAN) So if an encampment was
8 established on the Greenway tomorrow, would it be
9 cleared?

10 MS. PIERCE: Objection. Foundation,
11 speculative, incomplete hypothetical.

12 A. I would not be able to answer that
13 question, for two reasons: One, I am not in that
14 role currently; and, two, that's a hypothetical
15 situation I can't assume an answer about.

16 Q. (BY MS. STILLMAN) Did you discuss the
17 closure of the Greenway encampment on December 18th,
18 2020 with anyone after it occurred?

19 A. Yes.

20 Q. Who did you discuss it with?

21 A. I know there were Hennepin County staff --

22 MS. PIERCE: And, Don, I want to caution
23 you, again, not to reveal the contents of any
24 privileged conversation you may have had.

25 A. -- but no one outside of Hennepin County.

1 Q. (BY MS. STILLMAN) Who at Hennepin County
2 did you discuss it with?

3 MS. PIERCE: Same qualification, Don.

4 A. I believe that there were Hennepin County
5 attorneys that were present during that meeting.

6 MS. PIERCE: You can tell them who
7 attended the meeting, just not the content of the
8 conversation, if you remember.

9 A. We had a follow-up review of how the
10 process went, whether it was successful --

11 MS. PIERCE: I don't want you to reveal
12 the content of the communication in any way. Just
13 if there were lawyers present, just who was there.

14 Q. (BY MS. STILLMAN) Yep.

15 A. There were people, including David Hough,
16 David Hewitt, Lisa Cerney, Joe Gladke, who were all
17 present during that meeting.

18 Q. Do you remember the date that meeting
19 occurred?

20 A. I do not.

21 Q. Do you remember if it was within a week of
22 the Greenway closure?

23 A. I believe it was.

24 Q. Okay. Did you have any other discussions
25 about the closure of the Greenway after it happened

1 with anyone other than that one you just mentioned?

2 A. No.

3 Q. Do you know what Hennepin County Housing
4 Key is?

5 MS. PIERCE: Housing Key?

6 MS. STILLMAN: Yeah.

7 A. Yes.

8 Q. (BY MS. STILLMAN) What is it?

9 A. Are you referring to the availability of
10 locations where people could stay?

11 Q. I'm asking you what it is.

12 A. Yeah. I haven't worked in this field for
13 more than two years, two and a half years, so I
14 don't recall the Hennepin County Housing Key at this
15 time.

16 Q. To clarify, though, you were still the
17 initial -- or the program manager for the initial
18 contact and access team in 2021, correct?

19 A. I was the program manager in initial
20 contact and access for the homeless access team.

21 Q. And you had that role in 2022?

22 A. I had that role until September 2021.

23 Q. What was your role after September of
24 2021?

25 MS. PIERCE: Objection. Asked and

1 answered.

2 A. The Hennepin County homeless access team
3 was moved from a different area in initial contact
4 and access to the homeless -- excuse me -- to the
5 housing stability department in order to provide
6 continuity of care for people experiencing
7 homelessness.

8 Q. (BY MS. STILLMAN) Were you still working
9 with the homeless population in Hennepin County in
10 2021?

11 A. I stopped doing any work with the Hennepin
12 County -- with homeless individuals in this capacity
13 from probably around August 2021.

14 Q. What do you mean "in this capacity"?

15 A. Well, I also oversaw an area called adult
16 access, and there are times where we may have people
17 who were homeless, but that was a really rare
18 occasion. Those folks were providing services to
19 try to keep people from becoming homeless, so it was
20 more of a preventative situation.

21 So I continued working with them until
22 December 2021. Excuse me. I'm sorry.
23 December 2022.

24 Q. So let's ask this a different way. What
25 was your understanding of what Hennepin County

1 Housing Key was in 2020?

2 MS. PIERCE: Objection. Foundation.

3 A. We had a number of different options to
4 look at availability for residents who wished to
5 consider different housing options.

6 Q. (BY MS. STILLMAN) And Hennepin County
7 Housing Key was one of those resources?

8 A. Yes.

9 Q. What were the other resources?

10 MS. PIERCE: Objection. Vague.

11 A. Well, we had -- Again, please understand
12 that I haven't worked in this field since August or
13 September of 2021, so my professional focus has not
14 been there for more than a year and a half.

15 With that said, there are options outside
16 of shelter that are available to residents if they
17 wish to -- to take those options to them.

18 Another reason I'm having difficulty
19 recalling this is, while I was managing this area, I
20 had supervisors and staff that were using these
21 tools on a daily basis, where I was not using the
22 tools on a daily basis, so that wasn't my role to
23 tap in and to look for that for individual people.

24 So, but we had numerous tools that we used
25 to make sure that we had regular and accurate

1 availability for where people could stay at each
2 time, at each day.

3 Q. (BY MS. STILLMAN) So you had one-on-one
4 conversations with residents of homeless encampments
5 in 2020, correct?

6 A. In 2020 I did.

7 MS. PIERCE: Objection. Vague as to the
8 meaning of the word resident.

9 Q. (BY MS. STILLMAN) If a resident of a
10 homeless encampment that you spoke with in 2020 told
11 you that they wanted to get an apartment, what would
12 be the next step you would take?

13 MS. PIERCE: Objection. Vague as to the
14 meaning of the word resident; compound, incomplete
15 hypothetical, calls for speculation, foundation.

16 A. If a person who is camping in an
17 encampment said they wished to get an apartment,
18 then I would connect them with a social worker who
19 would work with them, and we would get that social
20 worker out to meet with them as soon as possible.
21 If it wasn't that day, it was always -- oftentimes
22 the next day.

23 I was also able to talk to them about
24 immediate shelter options, if they wished to accept
25 those. But we wanted to make sure we get somebody

1 out to talk to somebody about financial, medical
2 needs, mental health needs, what kind of resident --
3 what kind of residence, with a c-e, that they were
4 hoping to acquire. That might mean a certain area
5 of the city, because their family lives in a certain
6 area or they have a job and they want to be able to
7 easily access that job. So it could be proximity,
8 it could be size of the apartment; it could be what
9 kind of support systems they need, because they need
10 someplace to address their mental health issues,
11 et cetera.

12 So I would talk with them about all that
13 information and then relay it off to a social worker
14 who can work with them on a -- on an individual
15 basis.

16 Q. (BY MS. STILLMAN) How would you relay that
17 information to the social worker?

18 MS. PIERCE: Objection. Incomplete
19 hypothetical, calls for speculation.

20 A. It depends on if they wanted to work with
21 a community agency or if they wanted to work with a
22 Hennepin County social worker. I could make a
23 referral off to a community agency like AICDC, or I
24 could communicate with a supervisor who would be
25 able to get a social worker from Hennepin County out

1 to talk to that person as soon as possible.

2 Q. (BY MS. STILLMAN) Would you email those
3 referrals?

4 MS. PIERCE: Objection. Hypothetical,
5 incomplete hypothetical, calls for speculation.

6 A. Every situation was different. Lots of
7 times I was on the scene with someone from AICDC, so
8 I could -- if a resident wanted to work with that
9 particular agency, for example, I could call that
10 person and they could come right over. There may be
11 times where I would email or call the supervisor if
12 they wished to have a Hennepin County social worker
13 working with them.

14 Q. (BY MS. STILLMAN) And you mentioned
15 immediate shelter options. What's an immediate
16 shelter option?

17 A. I'm trying not to repeat myself, but we
18 would get numbers and locations of shelter
19 availability, and if someone wanted to go to a
20 certain shelter -- for example, maybe they knew
21 staff at Salvation Army so they appreciated being
22 there, or they didn't want to go to such a large
23 shelter and would rather go to a smaller one, we
24 would take that into consideration. We would try to
25 make a reservation for them. Once we identified

1 where that person could go, we'd make that
2 reservation, and they could get there that day.

3 Q. Was there ever a time in 2020 when there
4 were no available shelter beds for single men in
5 Hennepin County?

6 MS. PIERCE: Objection. Foundation.

7 A. I cannot accurately answer for every day
8 in 2020.

9 I can tell you, for the majority of time
10 that I was doing this work, between April 2020 and
11 December 2020, there was shelter space available for
12 the great majority of that time, for men and women.

13 MS. PIERCE: If you're marking a new
14 thing, do you want to take -- well, we've been going
15 about an hour.

16 MS. STILLMAN: Sure. We can take a
17 five-minute break.

18 THE VIDEOGRAPHER: We are going off the
19 record. The time now is 2:50.

20 (Whereupon, a recess was taken.)

21 THE VIDEOGRAPHER: We are back on the
22 record. This is the start to Media Number 5. The
23 time is 3:00.

24 MS. STILLMAN: I am marking document Bates
25 stamped MPLS_BERRY067466 as Exhibit 196.

1 (Deposition Exhibit Number 196 marked for
2 identification.)

3 Q. (BY MS. STILLMAN) And do you recognize
4 this document?

5 A. I recognize this as an email string
6 between David Hewitt, Katie Topinka, and myself.

7 Q. Okay. And if you look at the second email
8 down, it's from you to Katie Topinka, David Hewitt,
9 dated Monday, September 14th at 2020 -- or
10 September 14th, 2020.

11 Do you see that?

12 A. Yes.

13 Q. And you wrote, We had a change in family
14 shelter last week, clearly given the weather change.
15 So, it's accurate for the first time in a couple
16 months now, we were full for adult shelter beds.

17 Do you see that?

18 A. Yes.

19 Q. I don't know what it is now, but a Monday,
20 Tuesday and Wednesday I know those were filled. We
21 had a handful of single adult women's beds open last
22 week, fluctuating b/w 7 to 12 several days last
23 week. For family rooms, we had about 40 open b/w
24 PSP in St. Anne's most of last week. Let me know if
25 you want more.

1 Do you see that?

2 A. Yes.

3 Q. So there were times in 2020 that shelters
4 in Hennepin County were full, correct?

5 MS. PIERCE: Objection. That misconstrues
6 the rest of the document.

7 A. Yes. I think I reported that already,
8 that -- otherwise I would have said we had available
9 beds every day in 2020.

10 Q. (BY MS. STILLMAN) Okay. And then in that
11 email above from David Hewitt, in that second
12 paragraph, Mr. Hewitt writes, That said, that is
13 unused capacity at the end of the night. We still
14 have a lot of daily turnover and new people
15 accessing shelter every day, so we continue to
16 encourage everyone to contact the Adult Shelter
17 Connect, the earlier in the day the better.

18 Do you see that?

19 A. Yes.

20 Q. So you mentioned earlier that you would
21 sometimes receive information about shelter
22 availability twice per day, correct?

23 MS. PIERCE: Objection. Misconstrues
24 testimony.

25 A. No. Oftentimes I received it once a day

1 and would communicate that. What others might
2 receive is in the morning, knowing what the
3 availability is. And then there was a second time,
4 later in the afternoon, that was communicated for
5 those people who didn't show up for reservations, in
6 the effort to try and fill those beds.

7 So those -- those end-of-the-day numbers,
8 I did not receive those. It was the morning
9 numbers, and then it was -- it was individual social
10 work staff that was following up on those late
11 afternoon availability numbers.

12 Q. (BY MS. STILLMAN) So the availability of
13 shelter beds in Hennepin County could be different
14 at 8 a.m. than it was -- than it would be at
15 10 p.m.?

16 MS. PIERCE: Objection. Compound,
17 incomplete hypothetical, asks for speculation,
18 foundation.

19 A. It is hard, sometimes -- as someone who
20 doesn't work in a shelter, I understand that it is
21 hard, sometimes, to gauge how many people will show
22 up for reservations. So the intent of this
23 to-moment-in-time effort during the day is to try to
24 get as many people in as possible. I -- I'm not
25 sure how else to answer that.

1 Q. (BY MS. STILLMAN) We'll take the Salvation
2 Army shelter.

3 A. Okay.

4 Q. In 2020 -- Were you able to reserve a bed
5 at the Salvation Army shelter in 2020?

6 A. I could do that through the Adult Shelter
7 Connect. Yes.

8 Q. Okay. And what time did a person have to
9 be at Salvation Army in order to claim their
10 reserved bed there?

11 MS. PIERCE: Objection. Foundation.

12 A. I don't recall what the time is. And I
13 think that they were all relatively close for each
14 shelter. But I think it was midway through the
15 afternoon, maybe, closer to what some might consider
16 the dinner hour. But I don't have that exact time
17 when someone would have to be there.

18 Q. (BY MS. STILLMAN) So someone has a bed
19 reserved -- so it could be possible that, at 8 a.m.,
20 there was a bed reserved for someone who then didn't
21 show up, so that afternoon, later in the day, second
22 round of data that you've mentioned would show that
23 bed as available even though it wouldn't have been
24 available in the morning?

25 MS. PIERCE: Objection. Incomplete

1 hypothetical, calls for speculation, foundation.

2 A. I'm not sure I understand the question.

3 Can you just repeat it or rephrase it?

4 Q. (BY MS. STILLMAN) Sure. So there's a bed
5 reserved at 8 a.m., it wouldn't show up as an
6 available bed, correct?

7 A. Correct.

8 THE WITNESS: Sorry.

9 MS. PIERCE: That's okay.

10 Q. (BY MS. STILLMAN) This person who had the
11 bed reserved doesn't show up to the -- to the
12 Salvation Army by the deadline by which they have to
13 show up.

14 A. Yes. And I apologize. I don't know if
15 that deadline -- let's say it's 4:00 in the
16 afternoon.

17 Q. Sure. We'll use 4:00 as a -- as an
18 example --

19 A. Arbitrary, yes, understanding that I don't
20 know what that time is.

21 Q. Yes.

22 A. Thank you.

23 Q. So it's 4:15. That person hasn't shown up
24 for the bed. In this second report, would that bed
25 now show up as available?

1 A. Yes.

2 MS. PIERCE: Objection. Foundation,
3 incomplete hypothetical, calls for speculation.

4 A. Yes.

5 Now, were there some reasons why that
6 might not happen? We could have staff that know a
7 person who has been staying there for a while and
8 knows that that person has a job that keeps them
9 there longer, or maybe that resident staying in the
10 shelter, we're aware that they were visiting their
11 sister. There are always exceptions.

12 But if the person communicates to the
13 shelter that they can't be there at that time --
14 Excuse me. If they communicate that they will be at
15 that time, let's just say the arbitrary 4:00
16 date [sic], and they don't show up and there's no
17 communication as to why, that bed will be opened for
18 another person who is interested in using it.

19 Q. (BY MS. STILLMAN) So did you communicate
20 to residents of homeless encampments that you spoke
21 to in 2020 to call for a shelter bed in Hennepin
22 County multiple times a day?

23 MS. PIERCE: Objection. Vague, compound,
24 time frame.

25 A. Every day was different. It depended on

1 the weather. It depended on whether or not it was a
2 more violent day or night before. So each day was
3 different.

4 But in those -- on those occasions I would
5 call with that resident, so the resident was on the
6 phone with me and someone from the Adult Shelter
7 Connect, so we had -- and we provided -- "we"
8 meaning me and other Hennepin County staff or
9 community agencies who were there -- the phone
10 number. So if that person had a cell phone, they'd
11 be able to call Adult Shelter Connect themselves as
12 well.

13 Q. (BY MS. STILLMAN) How would a person who
14 didn't have a cell phone get in touch with Adult
15 Shelter Connect?

16 MS. PIERCE: Objection. Vague, incomplete
17 hypothetical, calls for speculation.

18 A. A number of different ways. There are a
19 lot of people who are in shelter that have cell
20 phones. And my experience is that, if someone
21 wanted to call Adult Shelter Connect, that another
22 person that they have a relationship would let them
23 use their phone. There were also staff around all
24 the time, and facilitating phone calls to Adult
25 Shelter Connect was a common practice.

1 The Sanctuary Movement folks were also
2 present, and if someone wished to use their phone,
3 my hope would be that they would allow them to use
4 their phone as well.

5 Q. (BY MS. STILLMAN) Were you ever at a
6 homeless encampment in 2020 after 5 p.m.?

7 A. Yes.

8 Q. How often?

9 A. Much less frequently than on the normal
10 day.

11 Q. Sorry. What do you mean by that?

12 A. I mean, most of the time I was not there
13 after 5:00.

14 Q. Most of the time what time did you leave?

15 MS. PIERCE: Objection. Compound.

16 A. Depending on who I was meeting and where I
17 was going and what I was doing, it wasn't uncommon
18 for me to be in an encampment between 7:30 and 4:00
19 each day, at different times.

20 Now, I also had meetings that I was either
21 facilitating or participating in. There were --
22 most days I had to plan my day out where I knew I
23 was able to go to a certain location.

24 Q. (BY MS. STILLMAN) You're aware that, after
25 an encampment closure, not all residents of the

1 closed encampment go to a homeless shelter, correct?

2 MS. PIERCE: Objection. Vague, compound.

3 A. I'm not sure. Is that a question?

4 Q. (BY MS. STILLMAN) Yeah.

5 MS. SARFF: Objection. Lack of
6 foundation, calls for speculation.

7 A. I -- I don't know how frequently people
8 will choose to use shelter or to move to a different
9 location, but in my experience, the people who are
10 choosing to be in an encampment don't want to go to
11 a shelter, for whatever reason that is. And if
12 they're choosing to go somewhere other than a
13 shelter, lots of times they will find another place
14 to camp.

15 Q. (BY MS. STILLMAN) What are some reasons
16 people wouldn't want to go to a shelter?

17 MS. PIERCE: Objection. Vague,
18 foundation, calls for speculation.

19 A. It has been reported to me by people who
20 are experiencing homelessness that they find
21 shelters to be more restrictive than they would like
22 to be. That includes timing of when they have to be
23 present. That includes some shelters saying that
24 they have to be sober or presenting as sober.

25 There are some people that appreciate

1 having a lot of people around and wish to be in a
2 shelter, and then there are some people that would
3 rather be far away from people, given their own
4 personality or mental health issues, and they choose
5 to not go to a shelter.

6 I think all three of those reasons are
7 common reasons I have heard from people who are
8 experiencing homelessness.

9 Q. (BY MS. STILLMAN) Have you ever heard from
10 a person experiencing homelessness that they didn't
11 want to go to a shelter in Hennepin County because
12 they weren't going to be able to stay with their
13 partner?

14 A. Yes.

15 Q. Have you ever heard from a person
16 experiencing homelessness that they didn't want to
17 go to a shelter in Hennepin County because they
18 wouldn't be able to bring all of their belongings
19 with them?

20 A. No.

21 Q. Have you ever heard from a person
22 experiencing homelessness that they didn't want to
23 go to a shelter in Hennepin County because they
24 weren't able to bring their pet with them?

25 A. Yes.

1 Q. Do you know if any of the homeless
2 shelters in Hennepin County require somebody to have
3 a photo ID in order to stay there?

4 MS. PIERCE: Objection. Compound,
5 foundation. And time frame.

6 A. I know that one of the common activities
7 that social workers will do with folks is to get an
8 ID for themselves. It's beneficial for lots and
9 lots of reasons. I do not believe it's something
10 that they have to have to be at all Hennepin County
11 shelters.

12 Q. (BY MS. STILLMAN) In --

13 A. I would not be surprised if some shelters
14 ask for that. Sorry to cut you off.

15 Q. No. That's fine.

16 MS. STILLMAN: I am marking Bates stamp
17 document HC00032302 as Exhibit 197.

18 (Deposition Exhibit Number 197 marked for
19 identification.)

20 Q. (BY MS. STILLMAN) And do you recognize
21 this document?

22 A. This is either one large email string or a
23 group of emails. If you're asking me if I've seen
24 this document since June 2020, the answer is, no.

25 Q. So if we go to page 5, that ends in 306 --

1 well, actually, let's go to the bottom of page 4,
2 that ends in 305. And you'll see on the bottom
3 there it's an email from you to Margaret King,
4 J. Weissman, Ciara Kunert, David Hewitt, and Katie
5 Topinka, dated June 20 -- June 2nd, 2020.

6 Do you see that?

7 A. Yes.

8 Q. Okay. And then the body of the email is
9 on the next -- top of the next page. And the third
10 sentence starts, in the third line, and says, We
11 would just like to offer hotels in any situation
12 that we can, especially with this group today.

13 Correct?

14 A. Yes.

15 Q. Why did you like offering hotels to
16 residents of homeless encampments?

17 MS. PIERCE: Objection. Misconstrues the
18 document and the record.

19 A. Because this is days after George Floyd
20 was killed, and this was a crisis situation that we
21 were all following in, and given this unique and
22 immediate situation that we were all addressing, we
23 wanted to get people into any place they could get
24 into.

25 This was immediately after -- I would say

1 during the riots that were occurring in Minneapolis.
2 And we had information from the FBI that three
3 encampments may have people there that may be in
4 danger from people that were coming from out of
5 state, and we were trying to get as many people to
6 safe situations as possible.

7 Q. (BY MS. STILLMAN) If a resident of a
8 homeless campment -- encampment was offered a hotel
9 room in October of 2020, would you encourage them to
10 take it?

11 MS. PIERCE: Objection. Vague, incomplete
12 hypothetical, calls for speculation. And offered by
13 whom?

14 A. Hennepin County made efforts to try to
15 deconcentrate the shelter system at the beginning of
16 the COVID pandemic. Part of this was offering hotel
17 rooms to people who had previously been staying in
18 shelters. This was seen by some people as a way to
19 address homelessness, when the real intention was to
20 address the COVID crisis.

21 I bring this up because our focus for
22 offering hotel rooms was to limit the spread, the
23 possible spread of COVID at that time.

24 There were organizations, including the
25 Sanctuary Movement, that saw this and wanted to get

1 people into hotels themselves. My experience is
2 that some of those hotels, not run by Hennepin
3 County staff, were not as desirable as other places
4 could be, and I would not encourage someone to go to
5 a hotel in October of 2020 with a different
6 organization.

7 I would encourage people to go to shelter,
8 and if they chose to go to a hotel during that month
9 that you mentioned, that was their choice, and they
10 were happy -- they were free to do that.

11 Q. (BY MS. STILLMAN) Is it your opinion that
12 it would have been safer for a resident of a
13 homeless encampment to remain in the homeless
14 encampment where they were living instead of going
15 to a hotel in October 2020? And by hotel, I mean a
16 hotel not run by Hennepin County.

17 MS. PIERCE: Objection. Vague, incomplete
18 hypothetical, calls for speculation.

19 MS. SARFF: Objection to the extent it
20 calls for an expert opinion.

21 A. I want to make sure I'm answering your
22 question. Can you repeat it, please?

23 Q. (BY MS. STILLMAN) Yeah. So you said that
24 you felt that some hotels not operated by Hennepin
25 County staff were unsafe for residents. Is that

1 correct?

2 MS. PIERCE: Objection. Misstates the
3 witness' testimony.

4 A. I don't believe that I stated it that way.
5 We had some contracted providers, including Avivo,
6 who did an outstanding job working with some of our
7 residents experiencing homelessness. There were
8 other groups that provided less supervision and
9 structure in these unique situations, that I would
10 not have recommended people go to in October 2020.

11 Q. (BY MS. STILLMAN) What were those other
12 groups?

13 A. There were -- there was one hotel
14 specifically in Bloomington that was run by a group
15 of people through the Sanctuary Movement that I
16 heard from residents may not have been the best
17 place for people to be.

18 MS. STILLMAN: I'm marking document Bates
19 stamped HC00039757 as Exhibit 198.

20 (Deposition Exhibit Number 198 marked for
21 identification.)

22 Q. (BY MS. STILLMAN) Did I give you two
23 copies, Mr. Ryan?

24 A. You gave me -- it looks like one copy
25 with --

1 Q. Okay.

2 A. I think this -- Yes. This is one copy,
3 ending in 9763, the last page.

4 Q. Do you recognize this document?

5 A. I recognize this as an email that I have
6 not seen since June 2020, yes.

7 Q. So if you go to page 3, which ends in 759,
8 in the middle there, there is an email from you to
9 Michael Herzing, Stephanie Abel, Jodi Wentland, and
10 David Hewitt, dated June 15th, 2020, and the subject
11 line is, RE: Powderhorn update.

12 Do you see that?

13 A. Yes.

14 Q. And that first full paragraph starts, I
15 have not yet discussed this with Parks (call into Al
16 Bangoura, but not a call back yet), but as we
17 discussed, we don't have an emergency and there is
18 nowhere to move people, so we want to make good long
19 term decisions.

20 Do you see that?

21 A. Yes.

22 Q. Did you have concerns, in June of 2020,
23 that, if the Powderhorn Park encampment was closed,
24 there wouldn't be a place for people to move?

25 MS. PIERCE: Objection. Misstates the

1 document.

2 A. Could I have time to read this entire
3 document?

4 Q. (BY MS. STILLMAN) Yeah.

5 A. Thank you.

6 Okay. Thank you.

7 Q. Yeah.

8 A. So your question was, did I have concerns
9 whether or not we didn't have a place to move people
10 if we closed the encampment?

11 MS. PIERCE: That wasn't the question.
12 Will you read back the question?

13 (Whereupon, the court reporter read back
14 the requested portion of the record.)

15 MS. SARFF: I'm going to object. Vague as
16 to time frame for the entire month.

17 A. I'm hesitating because it's difficult to
18 answer this question, thinking about timing and
19 whether or not we offered resources to people by
20 this time.

21 In this conversation today, we've jumped
22 back and forth between May, June, and September, so
23 it's difficult in one day when not considering this
24 for more than two years. So I'm trying to place
25 myself back into when I wrote this email.

1 Obviously we want people to have a place
2 to go. I wonder if this is a reference to an entity
3 saying we have to have a designated encampment space
4 that some people were asking for at that time. It's
5 hard for me to accurately describe, when looking
6 back and in the method that we've been having this
7 deposition about this year, to think about this
8 moment on June 15th and 16th.

9 What we never want to do is just move
10 people from a location and tell them to walk down
11 the street. We always want to try to figure out
12 places for them to go.

13 With the large numbers of people at
14 Powderhorn, and with our inability to know how many
15 people we were actually talking about who were truly
16 homeless and not staying in that encampment, I am --
17 I am thinking that we didn't have accurate numbers
18 and we didn't know how we were going to plan on that
19 day.

20 Q. (BY MS. STILLMAN) Okay.

21 MS. STILLMAN: I'm going to mark document
22 Bates stamp HC00029458 as Exhibit 199.

23 (Deposition Exhibit Number 199 marked for
24 identification.)

25 Q. (BY MS. STILLMAN) And do you recognize

1 this document?

2 A. I recognize this as an email chain between
3 me, David Hewitt, Andrea Brennan and Katie Topinka,
4 on August 25th. And I have not seen this document
5 since then.

6 Q. All right. And in the middle there, there
7 is an email from you to Andrea Brennan, Katie
8 Topinka and David Hewitt, dated August 21st, 2020.

9 Do you see that?

10 A. Yes.

11 Q. And the subject is External Encampments,
12 clearings with no destination.

13 Do you see that?

14 A. Yes.

15 Q. You wrote, in that first full paragraph,
16 or in the full paragraph, The perfect -- the
17 purpose -- well, I'll just start from the beginning.

18 I just scheduled a meeting for us on
19 Tuesday afternoon. Please let us know if this does
20 not work. The purpose of the conversation is to be
21 strategic about how to use partners like the state
22 to identify a location for encampments to move to
23 when there is not a place like another park for
24 campers to go to. I had a conversation with
25 Al Bangoura today about his opinion that parks are

1 filled, and that Peavey, Loring and Matthews will be
2 cleared with no buses and nowhere identified to
3 people.

4 Do you see that?

5 A. Yes.

6 Q. And, Mike Goze is concerned that we will
7 have people end up on Franklin or Bloomington, which
8 is going to affect that community. I think we need
9 to have this discuss in terms of solutions and
10 optics.

11 So you discussed with Superintendent
12 Bangoura that there was nowhere for residents to go
13 if Peavey, Loring and Matthews Parks got cleared,
14 correct?

15 MS. PIERCE: Objection. Misstates the
16 document and the record.

17 A. This states his opinion that parks are
18 filled, with no buses and no identified place to go.

19 Q (BY MS. STILLMAN) Was that your opinion as
20 well?

21 MS. SARFF: Objection. Misstates the
22 document, misstates testimony, and to the extent it
23 calls for an expert opinion.

24 A. I could only report that, in this
25 document, I was talking to Superintendent Bangoura

1 about his concern about parks being filled and where
2 people would go.

3 I think the context of time is important
4 here, as we consider what's not in this email, and
5 that is that there was an effort to have government
6 entities sanction and run an encampment during this
7 general period of time of August 2020.

8 Q (BY MS. STILLMAN) Did you ever have a
9 conversation with Superintendent Bangoura about the
10 availability of shelter beds in Hennepin County
11 prior to an encampment closure on property owned by
12 the MPRB?

13 MS. PIERCE: Objection. Asked and
14 answered, vague, compound, time frame.

15 A. Yes. I think I testified that I had
16 regular conversations with him that often included
17 shelter availability.

18 Q (BY MS. STILLMAN) Okay. So this email was
19 sent to Andrea Brennan, Katie Topinka and David
20 Hewitt. Why did you want to talk to them about the
21 contents of this email?

22 A. Because we had trusted partners, a
23 community partner in Mike Goze, who oversees AICDC,
24 and is an advocate for American Indian people in
25 Minneapolis, and Superintendent Bangoura, that had

1 specific concerns about this.

2 The other part of the recent history here
3 is that the State had previously provided buses and
4 moved people to different locations from Powderhorn,
5 for example. Those resources were not available at
6 this time. I think that's another part of this
7 that's not in the email.

8 What I wanted to do was relay to the three
9 people that I was emailing that this was the concern
10 from Superintendent Bangoura and our community
11 partner, Mike Goze.

12 Q. Did you ever have this meeting to discuss
13 this email with Ms. Topinka, Ms. Brennan and
14 Mr. Hewitt?

15 A. I don't recall this meeting. I am
16 assuming, based on this email, that a meeting took
17 place. But given that some people were tied up, as
18 you can see in the other email, at 3:30, I don't
19 know whether it happened that day or the next day
20 or -- I -- I can't accurately answer that question.

21 MS. STILLMAN: I'm marking document Bates
22 stamped HC00029980 as Exhibit 200.

23 (Deposition Exhibit Number 200 marked for
24 identification.)

25 Q (BY MS. STILLMAN) And do you recognize

1 this document?

2 A. I remember -- I recognize this document as
3 an email string between Katie Topinka, Amber
4 Turnquest and myself, from November 2020.

5 Q. All right. And the subject from that
6 email at the top says, Forward: [EXTERNAL] update on
7 the street outreach meeting.

8 What is the street outreach meeting?

9 A. That's a meeting that Katie Topinka had
10 been facilitating, that later facilitated, that
11 included community agency outreach staff and
12 advocates working with unsheltered people.

13 Q. Were notes taken at these meetings?

14 A. I don't -- I don't know who would have
15 taken notes at this meeting. This was an ongoing
16 meeting that started years prior, and that I started
17 participating in in the spring of 2020.

18 Q. How frequently did the street outreach
19 meeting take place?

20 A. We met a minimum once a week.

21 Q. Sometimes more than once a week?

22 A. Depending on the situation and what was
23 happening, there were times we met more than that.

24 Q. When would you -- In what situations would
25 you meet more than once a week?

1 MS. PIERCE: Objection. Compound, time
2 frame, vague.

3 A. Two examples are the riots that were
4 occurring in Minneapolis as a result of the murder
5 of George Floyd, where people were concerned about
6 safety issues for residents who were currently
7 homeless.

8 Another example is, the entirety of this
9 time we are discussing where Hennepin County had an
10 unprecedented growth in encampments, and this growth
11 was not gradual or foreseen.

12 Both of these are specific reasons why,
13 when something happened during the week, they seemed
14 more critical, and there was a quick, sometimes
15 crisis-oriented response. And we were listening to
16 our partners in these community agencies who wanted
17 to meet more often, and we tried to do that as often
18 as we could.

19 Q (BY MS. STILLMAN) If you go to the second
20 page, that ends in 981, there is an email from you,
21 dated November 10th, 2020, to Katie Topinka and
22 Amber Turnquest. And in that email you write about
23 what you covered at the street outreach meeting that
24 day, correct?

25 A. Yes.

1 Q. Okay. On the first page there is an email
2 from you to Katie Topinka and Amber Turnquest, dated
3 11/10/20, sent at 10:47 a.m.

4 Do you see that?

5 A. Yes.

6 Q. And you wrote, The feedback was mostly
7 that, when we close the camp, we are forcing people
8 to move to other locations. I emphasized that
9 Minneapolis and Hennepin don't want to clear
10 anywhere citing the Greenway and that we didn't want
11 to clear the lot at Van White until it felt like a
12 forced decision given disinformation.

13 Do you see that?

14 A. Yes.

15 Q. Why did you cite the Greenway as an
16 example to emphasize that Minneapolis and Hennepin
17 didn't want to clear anywhere?

18 MS. PIERCE: Objection. Misstates the
19 document and the record.

20 MS. SARFF: Objection. Lack of foundation
21 as to Minneapolis.

22 A. I can only surmise that, given that it was
23 October 2020, many of the encampments that existed
24 prior to this date were no longer present, and the
25 Greenway and several other locations were part of a

1 few locations left at this time, and that is likely
2 the reason that I specifically noted the Greenway.

3 Q (BY MS. STILLMAN) And just to clarify,
4 this email was dated November 2020, not
5 October 2020.

6 A. If I said October, I apologize. I meant
7 to say November.

8 Q. Not a problem.

9 In that email above it, from Amber
10 Turnquest to you, she writes, You covered it, Don.
11 The concern was primarily about where people would
12 go since the shelters were full and the new beds
13 aren't online yet.

14 Do you see that?

15 A. Yes.

16 Q. Did outreach workers ever raise -- ever
17 tell you, at these meetings, that shelters were
18 full?

19 MS. PIERCE: Objection. Vague, compound,
20 time frame.

21 A. There were times where outreach staff
22 expressed concerns that shelter was full. This was
23 going back several months and was part of the reason
24 that Hennepin County made an effort to create more
25 shelter space, and contracted with numerous

1 community agencies in order to do that, including
2 Avivo.

3 Q (BY MS. STILLMAN) So when you say, this is
4 why Hennepin County made an effort to create more
5 shelter space, what do you mean?

6 MS. PIERCE: Objection. Misstates the
7 testimony, I think.

8 A. If you'd like me to answer the question
9 again, I'm happy to.

10 We heard from community providers that
11 there wasn't enough shelter space available for
12 everyone that was staying outside. We also know
13 that some of those people continued to refuse to go
14 to shelter. With that said, we wanted -- Hennepin
15 County wanted to have more shelter space and made an
16 investment in contracting with community agencies to
17 create more shelter space.

18 When Amber Turnquest states in this email,
19 those new beds are not online yet, by November 10th
20 we were wondering whether some of these new
21 locations that Hennepin County took the initiative
22 to create were not available yet.

23 Q (BY MS. STILLMAN) What was your -- What is
24 your understanding of why Hennepin County wanted to
25 create more shelter space?

1 MS. PIERCE: Objection. Foundation.

2 A. There was an investment made by Hennepin
3 County to not just deconcentrate the shelters over
4 the summer but to provide funding to those shelters
5 so they can reformat those shelters, creating space
6 for less people, given more distancing.

7 We also had this unprecedented encampment
8 explosion that happened in Minneapolis at that time,
9 and there was an effort made to increase the number
10 of shelter availability placements possible, so if
11 people said they wanted to get a bed, we were able
12 to offer that to them.

13 MS. STILLMAN: Can we take a break?

14 MS. PIERCE: I was going to say, I think
15 it's about an hour.

16 THE VIDEOGRAPHER: We are going off the
17 record. The time now is 3:50.

18 (Whereupon, a recess was taken.)

19 THE VIDEOGRAPHER: We are back on the
20 record. This is the start to Media Number 6. The
21 time is 4:00.

22 MS. STILLMAN: And then before we start,
23 Mr. Ryan, if you could just put down your phone.

24 Thank you.

25 MS. PIERCE: Do you want me to take the

1 phone?

2 Q (BY MS. STILLMAN) Do you know somebody
3 named Susannah King?

4 A. Yes.

5 Q. Who is she?

6 A. Susannah King is a supervisor for a unit
7 in Hennepin County called the Healthcare for the
8 Homeless.

9 Q. Did you attend homeless outreach meetings
10 with Susannah King in the summer of 2020?

11 A. Yes.

12 Q. How frequently?

13 A. Susannah King had different meetings, so I
14 was not at all of the meetings that she facilitated.
15 But she was regularly part of a number of meetings I
16 was in, including that outreach meeting that we
17 discussed earlier.

18 It was not uncommon to meet with her a
19 couple times a week.

20 MS. STILLMAN: I'm marking document Bates
21 stamped HC00038115 as Exhibit 201.

22 (Deposition Exhibit Number 201 marked for
23 identification.)

24 MS. STILLMAN: And I'll state that the top
25 page is the metadata for the document that's been

1 printed out.

2 MS. PIERCE: This is 201.

3 MS. STILLMAN: Yes.

4 Q (BY MS. STILLMAN) So if you look at that
5 top page that the -- that is the metadata that
6 accompanied this document. The filename is Outreach
7 Meeting Minutes 8.17.20.docx, and the app author is
8 Susannah King.

9 Ms. King wrote, in this document, There
10 has been some discussion among other outreach
11 workers that incident command is not listening to
12 public health information. When can we push back?
13 Sense that Don Ryan and incident command are keeping
14 us in the dark on purpose and not listening to
15 guidance from public health. Is there a formal
16 process within the county to address these problems?

17 McKenzie has talked to someone from the
18 civil rights board from the city of Minneapolis who
19 is questioning if the civil rights board should get
20 involved. Staff feel like incident command is not
21 following a public health perspective.

22 Do you see that?

23 A. I see that.

24 Q. Who is incident command?

25 MS. PIERCE: You mean as referenced in

1 this document?

2 MS. STILLMAN: Yes. As referenced in this
3 document.

4 MS. PIERCE: Objection. Foundation.

5 MS. SARFF: Objection. Calls for
6 speculation.

7 A. Incident command is a term that I think
8 some people would use for people managing a crisis
9 situation.

10 Q (BY MS. STILLMAN) Have you ever used
11 incident command in that way?

12 MS. PIERCE: Objection. Vague as to the
13 meaning of the term incident command.

14 A. No.

15 Q (BY MS. STILLMAN) Have you ever used the
16 term incident command to refer to any entity at
17 Hennepin County?

18 A. Yes.

19 Q. What entity is that?

20 A. When there's an emergency situation and
21 the county has involved the emergency management
22 teams to address that. We've done that in numerous
23 situations, including the measles outbreak several
24 years ago.

25 Q. Who's part of incident command?

1 A. That would be a team determined by the
2 emergency management branch of Hennepin County.

3 Q. Who is part of the emergency management
4 branch at Hennepin County?

5 A. I don't know the answer to that.

6 Q. Okay. Have you ever talked to anybody
7 from the emergency management branch at Hennepin
8 County about encampment closures?

9 MS. PIERCE: Objection. Vague, compound,
10 time frame.

11 A. I don't believe so.

12 Q (BY MS. STILLMAN) Is there somebody named
13 McKenzie who works for Hennepin County healthcare --
14 Or I'll rephrase that question.

15 Is there somebody named McKenzie who
16 worked for Hennepin County Healthcare for the
17 Homeless in 2020?

18 A. Yes.

19 MS. PIERCE: Objection.

20 THE WITNESS: I apologize.

21 MS. PIERCE: It's okay. You're fine. Go.

22 A. The answer is, yes.

23 Q (BY MS. STILLMAN) Is there a formal
24 process within the county to address problems such
25 as incident command not listening to public health

1 information?

2 MS. PIERCE: Objection. Misstates the
3 document, foundation, assumes facts not in evidence.

4 A. I am assuming that incident command would
5 have that information. I do not have that
6 information.

7 Q (BY MS. STILLMAN) If someone had concerns
8 that you weren't following public health guidance on
9 encampment closures, was there a process with which
10 they -- by which that person could report their
11 concerns?

12 A. Yes.

13 MS. PIERCE: Objection. Vague, incomplete
14 hypothetical, calls for speculation.

15 MS. SARFF: Objection to the extent it
16 calls for a legal conclusion.

17 Q (BY MS. STILLMAN) What was that process?

18 MS. PIERCE: Same objections.

19 A. The normal protocol would be, the person
20 would go to their manager, who would -- who would
21 connect with a manager in that other department and
22 have conversations about those concerns.

23 Q (BY MS. STILLMAN) Did anyone from the City
24 of Minneapolis Civil Rights Board ever talk to you
25 about encampment closures in 2020?

1 MS. PIERCE: Objection.

2 MS. SARFF: Objection. Vague as to Civil
3 Rights Board from Minneapolis.

4 A. No.

5 Q (BY MS. STILLMAN) Did anybody from the
6 City of Minneapolis Department of Civil Rights ever
7 talk to you about encampment closures in 2020?

8 MS. SARFF: Objection. Vague.

9 A. No.

10 Q (BY MS. STILLMAN) Did anyone talk to you
11 about the possibility of the Minneapolis
12 Department of Civil Rights getting involved in
13 investigating encampment closures in 2020?

14 MS. PIERCE: Objection. Vague, compound.

15 A. No.

16 Q (BY MS. STILLMAN) Did you ever keep a date
17 of an encampment sweep -- I'll rephrase the
18 question.

19 Were there encampment closures in 2020
20 that -- for which you did not share the date of the
21 closure with outreach staff?

22 MS. PIERCE: Objection. Vague, compound.

23 A. I don't recall not communicating a date of
24 a closure, when I was able to do that, to community
25 agencies serving people in the encampment.

1 Q (BY MS. STILLMAN) Were there times when
2 you weren't able to do that?

3 MS. PIERCE: Objection. Vague, compound,
4 calls for speculation.

5 A. If there was a time, it would be the
6 direction of the entity that was closing the
7 encampment that would make that decision.

8 During this time there were safety
9 concerns, as we discussed in the Peavey Park
10 encampment, that people had concerns about violent
11 situations arising out of a closure. This would be
12 the only time I can imagine that there was concern
13 about not sharing information.

14 With that said, everyone who participated
15 in these meetings was aware every time an encampment
16 was noticed to be closed, so if there was a notice
17 to close an encampment, everyone in that meeting was
18 aware of that. And as far as I'm concerned, as far
19 as I'm aware, all encampments were noticed ahead of
20 time, which means all people in this meeting would
21 have been aware that an encampment was planned to be
22 closed.

23 Q (BY MS. STILLMAN) You said all -- as far
24 as you're aware, all encampments were noticed ahead
25 of time. As far as you are aware, were all of those

1 encampments noticed with specific dates of a
2 closure?

3 MS. PIERCE: Objection. Compound, time
4 frame.

5 MS. SARFF: Objection. Lack of
6 foundation.

7 MS. WALTHER: Objection. Calls for a
8 legal conclusion.

9 A. Are you asking that there was a closure
10 date that was associated with a notice to close?

11 Q (BY MS. STILLMAN) I'll rephrase.

12 A. Thank you.

13 Q. Are you aware of any notices of encampment
14 closures in 2020 that were -- that did not include a
15 specific date of closure?

16 MS. PIERCE: Can I have that read back
17 again? It's certainly compound. So object as
18 compound.

19 MS. SARFF: I apologize. I didn't hear if
20 you said, objection, lack of foundation, but I'll
21 add it in case you didn't. But you may have.

22 (Whereupon, the court reporter read back
23 the requested portion of the record.)

24 MS. PIERCE: Yeah. Compound, time frame,
25 lack of foundation.

1 A. I am aware that the date for Peavey Park
2 had to change based on explicit public communication
3 of plans to assault professional staff, including
4 law enforcement and social workers. As a result,
5 that date changed. I'm not aware of any other time.

6 Q (BY MS. STILLMAN) What do you know about
7 these threats of assault?

8 MS. PIERCE: Objection.

9 MS. WALTHER: Can I hear that question?

10 Q (BY MS. STILLMAN) What do you know about
11 the threats of assault?

12 MS. PIERCE: Objection. Vague.

13 A. I saw flyers provided to the community in
14 paper form and on social media that described
15 building slingshots, to have rocks thrown from the
16 slingshots at law enforcement, that included
17 descriptions of when planning meetings were. Those
18 planning meetings included trainings on how to
19 protect Peavey Park and assault professionals.

20 Q (BY MS. STILLMAN) How do you know that's
21 what the trainings were about?

22 A. They were on the flyer.

23 Q. Where did you see these flyers?

24 A. On social media and in -- and in person.

25 Q. Where in person?

1 A. They were at Peavey Park, for one.

2 Q. Any other places?

3 A. I don't recall seeing them at other places
4 other than Peavey Park.

5 Q. Did you ever go to one of the trainings?

6 A. No. I would not have been welcomed at
7 that training.

8 Q. Did you see who placed those flyers in
9 Peavey Park?

10 A. I did not.

11 Q. Did you give one of those flyers to
12 anybody in the Minneapolis Police Department?

13 A. I do not recall giving one to anyone. I
14 do know that I had a conversation with Sergeant
15 Grant Snyder, who was our representative from the
16 Minneapolis Police Department. He was aware of
17 this.

18 Q. Did you give one of those flyers to anyone
19 from the Hennepin County Sheriff's Office?

20 A. I don't recall.

21 Q. Did you give one of those flyers to
22 anybody from -- anyone from Minneapolis Park Police?

23 A. As far as I'm aware, all of the entities
24 you just mentioned were aware of these flyers. I
25 did not provide them to them.

1 Q. How do you know they were aware of them?

2 A. It was a conversation that occurred in
3 safety meetings regarding Peavey Park.

4 Q. Who attended these safety meetings
5 regarding Peavey Park?

6 A. There were numerous meetings over the
7 course of weeks preparing for a safe closure of
8 Peavey Park. Multiple different people participated
9 in these meetings.

10 Q. Did you ever participate in these
11 meetings?

12 A. I was present in meetings where this was
13 discussed.

14 Q. Who else was present in meetings where
15 this was discussed?

16 A. Grant Snyder was present. Chief Ohotto
17 was present.

18 Q. Was anybody from the Hennepin County
19 Sheriff's Office present?

20 A. I don't recall.

21 Q. Do you recall anybody else who was at
22 these meetings?

23 A. I don't recall.

24 Q. Other than these flyers that you
25 mentioned, were there other threats of assault that

1 you were aware of?

2 A. Yes.

3 Q. What were those?

4 A. I had people threatening me in person,
5 telling me they knew where I lived, telling me
6 they'd be at my house. This was a common occurrence
7 with people who were working in encampments, in an
8 attempt to either threaten or intimidate them.

9 This included Hennepin County Healthcare
10 for the Homeless nurses, social workers, law
11 enforcement. This included park staff who were
12 doing maintenance in the park. Had nothing to do
13 with the homeless encampment.

14 Q. Did you report these threats to anyone?

15 A. Minneapolis Police was present, and I had
16 conversations with whether or not I would need to
17 reach out to my local law enforcement agency.

18 Q. Were you advised to reach out to your
19 local law enforcement agency?

20 A. No.

21 Q. Why not?

22 MS. PIERCE: Objection. Foundation.

23 A. There were reasons that were given to me
24 at the time. Mostly had to do with whether or not
25 they'd be able to do anything with the information

1 they had.

2 Q (BY MS. STILLMAN) Do you know the names of
3 any of the people who threatened you?

4 A. I do not.

5 Q. Do you know the dates on which you
6 received threats?

7 A. I could go back and find them. And they
8 included a mob -- a group of 25 to 30 people who
9 were present as we were working with people at a
10 specific encampment in Minneapolis.

11 Q. Which encampment?

12 A. I don't recall, but I -- I can picture the
13 encampment in my head right now. I don't recall
14 where it is, what the location was.

15 Q. Where would you go back to find the
16 information?

17 A. I would probably ask people that I knew
18 were present, people who had witnessed the threats
19 to do that by this group of people.

20 Q. So there was the group of people at the
21 encampment. And you don't recall which encampment
22 that was?

23 A. Yes. These are not people who were
24 camping at the encampment. These were people who
25 represented themselves as being part of the

1 Sanctuary Movement.

2 Q. Other than the flyers and this incident
3 that you were just talking about, are there any
4 other times that -- dates where you remember -- you
5 remember being threatened?

6 MS. PIERCE: Objection. Misstates
7 testimony about a single incident.

8 A. Dates, no. I cannot give dates of when
9 this happened. This was an ongoing tactic that was
10 used with many people.

11 Q (BY MS. STILLMAN) What did you do when you
12 were threatened by somebody from the Sanctuary
13 Movement?

14 MS. PIERCE: Objection, compound, since he
15 testified to multiple incidents.

16 MS. SARFF: Objection. Harassment.

17 A. I walked away.

18 Q (BY MS. STILLMAN) Okay. Were you ever
19 threatened with a weapon at an encampment closure?

20 A. No.

21 Q. In 2020 did anyone discuss concerns with
22 you about whether or not the county was following
23 public health guidance when closing encampments?

24 MS. PIERCE: Objection, vague. Objection,
25 compound. Objection, time frame.

1 A. There were different levels of opinions
2 within the public health department about what
3 should take place at encampments and at closures.
4 There was no consistent message from public health
5 or from Healthcare for the Homeless that was a
6 direction that we should follow.

7 What I am seeing in this Exhibit 201 is a
8 question from one or a couple people who
9 participated in this meeting I was not present at,
10 asking why their opinion was not being followed.
11 That was not the opinion from public health as an
12 entity.

13 Q (BY MS. STILLMAN) So did public health
14 have a consistent opinion on whether or not
15 encampments should be closed?

16 MS. PIERCE: Objection as to opinion. Or
17 pardon me. Vague as to opinion, consistent, and
18 public health.

19 A. I did not receive information from leaders
20 in public health that we were not following guidance
21 or direction that they were recommending.

22 Q (BY MS. STILLMAN) Did you receive --

23 A. Again, that does not mean there were not
24 independent -- Excuse me. The word independent is
25 incorrect.

1 There were not individual nurses or staff
2 who may believed that we should not close
3 encampments. I am sure that happened.

4 As a public health entity, we did not
5 receive direction we were not following public
6 health guidelines.

7 Q. At any of the meetings that you attended
8 in 2020 regarding encampment closures, did anyone
9 ever raise the issue that closing encampments wasn't
10 in line with guidelines from the Center for Disease
11 Control regarding the COVID-19 pandemic?

12 MS. PIERCE: Objection, vague. Objection,
13 compound. Objection, time frame.

14 MS. SARFF: Objection to the extent it
15 calls for a legal conclusion.

16 A. You asked me about two different entities
17 there. I will tell you that we followed guidance
18 from the CDC and from public health, and the
19 guidance that we received from both of them as we
20 looked at the totality of the environment in the
21 encampments, especially those encampments that got
22 to be more than 15 tents, for example, showed that
23 there was both health and safety issues in those
24 encampments.

25 Q (BY MS. STILLMAN) Did you discuss the

1 health and safety issues at those -- at encampments
2 at the outreach meetings?

3 MS. PIERCE: Objection, vague. Objection,
4 compound. Objection, time frame.

5 A. I just want to reiterate that these were
6 meetings that occurred several times a week over a
7 period of nine months, so answering that question is
8 difficult.

9 With that caveat, yes, we would regularly
10 talk about health and safety issues within the
11 encampment with community agencies and outreach
12 staff. Some individuals agreed with this, and some
13 individuals did not agree with this.

14 Q. (BY MS. STILLMAN) Do you --

15 A. And, yes, it was discussed.

16 Q. And I apologize for interrupting.

17 Do you remember the names of the
18 individuals who did not agree?

19 A. I -- I recall some names of people who did
20 not agree.

21 Q. And what are --

22 MS. PIERCE: Objection. Did not agree
23 with? With what, Counsel?

24 MS. STILLMAN: He said did not agree
25 with -- I was using his language.

1 MS. PIERCE: So did not agree with what?

2 MS. STILLMAN: Can you read back his
3 answer?

4 MS. PIERCE: Why don't you go two
5 questions back.

6 (Whereupon, the court reporter read back
7 the requested portion of the record.)

8 MS. PIERCE: Yeah. Objection. Vague as
9 to form.

10 Q (BY MS. STILLMAN) Okay. Do you recall the
11 names of the people who did not agree with "this,"
12 as you were using it in your answer to that
13 question?

14 MS. PIERCE: Objection. Vague as to form.

15 A. Yes. I recall some individuals who did
16 not agree that encampments should be closed for any
17 reason.

18 Q (BY MS. STILLMAN) And what are those
19 individuals' names?

20 A. I would need some time to consider names.
21 I have not thought about this since -- for --
22 since -- for two and a half years.

23 I can tell you there are staff from
24 St. Stephen's and staff from Hennepin County
25 Healthcare for the Homeless that did not always

1 agree with overall decisions that were made.

2 Q. What nonprofit organizations were helping
3 the homeless population in Hennepin County in 2020?

4 MS. PIERCE: Objection. Foundation,
5 vague, time period, compound.

6 MS. SARFF: Objection. Relevance.

7 A. Examples of some of these organizations
8 are St. Stephen's, Avivo, AICDC, the Minnesota
9 Indian Women's Resource Center. Those are four
10 examples of many agencies we worked with.

11 Q (BY MS. STILLMAN) Can you think of any
12 other examples?

13 MS. PIERCE: Objection. Asked and
14 answered several times.

15 A. If you gave me time to compile a list, I
16 could do that. I don't recall all of the agencies
17 we work with at this time.

18 Q (BY MS. STILLMAN) All right. Are you
19 familiar with an organization named ZACAH Aid and
20 Charity Assisting Humanity?

21 A. I'm aware of an organization called ZACAH.

22 Q. Okay. And what's your knowledge about
23 ZACAH?

24 MS. PIERCE: Objection. Compound, vague.

25 A. My understanding is that there were some

1 people who were leaders in the Sanctuary Movement
2 that began working with family members to create an
3 organization called ZACAH. This organization used
4 people who were working in the Sanctuary Movement
5 with the same philosophy, with a different name.

6 There were at least one physician, maybe
7 two -- I -- I don't know if the one physician's
8 spouse was also a doctor, but I think she could have
9 been -- who led this organization. His daughter,
10 whose name is Yusra, who was an active member of the
11 Sanctuary Movement, and her father, whose name I
12 can't recall, started this organization called
13 ZACAH.

14 Q (BY MS. STILLMAN) Had you heard about
15 ZACAH before 2020?

16 A. No.

17 Q. And you mentioned them having the same
18 philosophy, but I'm not clear. Who did they -- who
19 do you think they had the same philosophy as?

20 MS. PIERCE: Is "they" the Murads or ZACAH
21 as an organization?

22 MS. STILLMAN: ZACAH.

23 MS. PIERCE: Then foundation.

24 A. As I stated before, the leaders of the
25 Sanctuary Movement appeared to be the same leaders

1 who started this organization called ZACAH.

2 Q (BY MS. STILLMAN) Have you ever spoken to
3 Yusra Murad on the phone?

4 A. Yes.

5 Q. Approximately how many times?

6 A. I don't know the answer to that.

7 Q. More than 10?

8 A. Yes.

9 Q. More than 20?

10 A. Possibly. Yes.

11 Q. More than 50?

12 A. I doubt it was 50.

13 Q. Okay. Are you aware that ZACAH funded
14 approximately 4,000 hotel rooms for displaced
15 encampment residents in 2020?

16 MS. PIERCE: Objection. States facts not
17 in evidence, foundation.

18 A. I was not aware how many hotel rooms they
19 provided.

20 Q (BY MS. STILLMAN) Do you think it's
21 beneficial to have homeless persons staying in one
22 consistent location?

23 MS. PIERCE: Objection. Incomplete
24 hypothetical, calls for speculation, relevance.

25 MS. SARFF: Objection to the extent it

1 calls for an expert opinion.

2 MS. PIERCE: Or a legal conclusion.

3 A. I think the best place for a person to be
4 is in permanent housing. Hennepin County's goal is
5 to work with individuals and families to get them to
6 permanent housing. And those individuals who wish
7 to work with us to obtain permanent housing, we have
8 been successful in doing that on a large scale.

9 MS. PIERCE: Rebecca, can we break before
10 you go on to another topic?

11 MS. STILLMAN: Yeah.

12 MS. PIERCE: How long have we been on the
13 record?

14 THE VIDEOGRAPHER: We are going off the
15 record. The time now is 4:37.

16 (Whereupon, a recess was taken.)

17 THE VIDEOGRAPHER: We are back on the
18 record. This is the start to Media Number 7. The
19 time is 4:46.

20 MS. STILLMAN: I'm going to mark document
21 Bates stamped HC00033832 as Exhibit Number 202.

22 (Deposition Exhibit Number 202 marked for
23 identification.)

24 A. Thank you.

25 Q (BY MS. STILLMAN) And do you recognize

1 this document?

2 A. This is an email string from
3 November 2020.

4 Q. And you're on this email string, correct?

5 A. Yes.

6 Q. Okay. And on the bottom of the first
7 page there is an email from Kelsey Myers to you,
8 dated November 5th, 2020, with the subject,
9 RE: ZACAH referrals.

10 Do you see that?

11 A. Yes.

12 Q. And in that email she writes, My apologies
13 for the error and referring case managers to a
14 resource I myself did not know anything about. I
15 contacted the Hennepin County case management
16 supervisor at Pinnacle yesterday and asked her to
17 please not make any more referrals.

18 And if you turn to the next page, she's
19 responding to an email from you dated November 4th
20 of 2020, in which you say, Wondering if we can
21 discuss the suggestion to refer a client to a ZACAH
22 hotel.

23 Do you see that?

24 A. Yes.

25 Q. Did you tell Kelsey Myers not to refer

1 someone to a ZACAH hotel?

2 MS. PIERCE: Objection. Vague.

3 A. I'm not recalling this exact situation.
4 But what I recall is that someone who is in Kelsey
5 Myers' unit had made a decision to make a referral
6 to ZACAH for one of her clients. The unit that
7 we're talking about is long-term services and
8 supports.

9 Long-term services and supports is an area
10 that does assessments and looks at things like
11 waivers for specific things, including brain injury,
12 elderly care, and is not -- it's not a common
13 situation where they find themselves working with
14 homeless individuals.

15 Most of their services in long-term
16 services and supports is to keep people outside of
17 institutional settings and in permanent housing, and
18 to figure out how to do this.

19 I don't recall the exact situation, but I
20 do remember there was a social worker that made a
21 referral to a ZACAH hotel, not knowing everything
22 about the history of the last six months and how
23 things could have gone differently.

24 The purpose of reaching out to Kelsey was
25 to let her know of all options that this client who

1 is already working with a social worker in LTSS
2 could access.

3 Q (BY MS. STILLMAN) Did you ask Kelsey Myers
4 to contact Pinnacle and recommend that they not
5 refer any of their clients to ZACAH hotels?

6 MS. PIERCE: Objection. Vague.

7 A. I don't know that I specifically asked her
8 to not make the referral to any ZACAH hotels. No.

9 Q (BY MS. STILLMAN) You mentioned the -- not
10 having all of the information from the six months
11 prior to this email. What did you mean by that?

12 A. Well, Pinnacle is a contracted agency that
13 we work with to try and keep people in homes.
14 They're not, typically, familiar with working with
15 homeless individuals or encampments.

16 My understanding was, the social worker
17 from this agency just didn't have the information,
18 and that information appeared to be helpful for them
19 when we had that conversation.

20 MS. STILLMAN: I'm marking document Bates
21 stamped HC00034306 as Exhibit Number 203.

22 (Deposition Exhibit Number 203 marked for
23 identification.)

24 Q. (BY MS. STILLMAN) And do you recognize
25 this document?

1 A. It appears to be a document. It's not --
2 it's not clear that it was sent.

3 MS. PIERCE: Yeah. My objection is this
4 does not appear to be a sent email. There's not a
5 from line, which is the case on all sent emails, so
6 my strong suspicion is that this is a draft, unsent
7 draft.

8 Q (BY MS. STILLMAN) Did you attend a meeting
9 with Bloomington and ZACAH in November of 2020?

10 A. There was a meeting that included members
11 of the City of Bloomington and members of ZACAH that
12 I recall.

13 Q. And did you attend that meeting?

14 A. I attended at least one, maybe two
15 meetings with members from those groups. I think it
16 was just one meeting.

17 Q. And that first sentence says, Meeting
18 began with a description of ZACAH: Established 7
19 years ago by 7 volunteers to assist people who
20 needed financial assistance to prevent homelessness.

21 Do you see that?

22 A. I see that is what is written here. But I
23 also don't know that this was sent as an email.

24 This looks like notes that I may have
25 taken during the meeting. So someone reported that

1 it was established seven years ago by seven
2 volunteers. I don't know that that's accurate or
3 not. This looks like notes that I took during that
4 meeting of Friday the 20th.

5 Q. And that second bullet point starts,
6 Service providers: Start Today is working with them
7 linking people into permanent housing. Case
8 management is done through funding through the State
9 for this contract with Start Today. They have 7
10 people transitioning into permanent housing. Start
11 Today started working with them 2 weeks ago. No
12 service provision for people staying into the
13 hotels. ZACAH would like to have another group
14 provide services to the residents staying in the
15 hotels. They do not have the resources to do that.

16 Do you see that?

17 A. Yes.

18 Q. What is Start Today?

19 A. Start Today is a community agency that
20 Hennepin County and I believe the State had
21 contracted with. And my understanding is, they
22 stopped working with ZACAH within two to three weeks
23 of this meeting.

24 Q. Why is that your understanding?

25 A. My understanding is they had some

1 philosophical differences.

2 Q. Why is that your understanding?

3 A. I heard this about staff from Start Today.

4 Q. Who did you hear that from?

5 A. I don't recall who it was.

6 Q. That last bullet point says, ZACAH is
7 working outside of the Coordinated Entry or Adult
8 Shelter Connect because they do not believe there
9 isn't capacity. Start Today is not working through
10 Coordinated Entry because we are working under the
11 peace time emergency orders. We discussed the
12 availability currently in shelters and Board and
13 Lodges from the Hennepin perspective and the number
14 of openings in the next two to four weeks for
15 additional shelter.

16 Do you see that?

17 A. Yes.

18 Q. What is Coordinated Entry?

19 A. Coordinated Entry is -- is a -- is a unit,
20 but it's a process to get people with the most need
21 into permanent housing first.

22 So what had happened years and years ago
23 is, you might have an advocate or a social worker
24 who, by the luck of the draw, may be more motivated
25 or experienced than another. That person who is

1 experiencing homelessness may get housing before
2 someone who needed it more, based on their cognitive
3 ability or physical abilities.

4 Coordinated Entry is modeled after a
5 national approach, where we look at the strengths
6 and the needs of individuals, and prioritize those
7 people who are most needing housing and work to
8 house those people first.

9 There are people who believe that we
10 should just get people into housing as quickly as
11 possible as they arrive and don't agree with this
12 model that Hennepin County has committed to.

13 Q. Does -- Is Coordinated Entry a process
14 that's run by Hennepin County?

15 MS. PIERCE: Objection. Foundation.

16 A. Yes. The Coordinated Entry program is --
17 is contracted by Hennepin County through a community
18 agency to look at the needs and the strengths of
19 individuals, to determine what that priority should
20 be.

21 Q (BY MS. STILLMAN) And what community
22 agency are they contracted with?

23 A. I believe that it's still Simpson Housing.
24 It was Simpson Housing when -- when I worked with
25 them several years ago.

1 Q. And how does a homeless individual get
2 entered into the Coordinated Entry system?

3 MS. PIERCE: Objection. Foundation.

4 A. They would meet with a -- either a
5 Hennepin County staff or a community advocate or
6 someone from a shelter. Any shelter staff could
7 work with them, complete a -- an assessment with
8 them, and then the results of that assessment would
9 go to the Coordinated Entry staff at Simpson
10 Housing.

11 Q (BY MS. STILLMAN) Why is it important that
12 people go through that system?

13 MS. PIERCE: Objection. Vague as to the
14 word foundation -- pardon me -- important. And
15 foundation.

16 MS. SARFF: Objection to the extent it
17 calls for an expert opinion.

18 A. My understanding is, it's important to
19 make sure that our most marginalized and most
20 vulnerable populations are prioritized in finding
21 housing for them. That's not an easy thing to
22 determine, because everybody who is homeless is
23 needing housing. But to determine those people that
24 are most vulnerable based on their medical or their
25 cognitive situation, mental health situation, is the

1 goal, is to make sure we look at the most
2 vulnerable, marginalized folks first and house them
3 first.

4 Q (BY MS. STILLMAN) Did you try to get your
5 clients housing through any systems other than
6 Coordinated Entry in 2020?

7 MS. PIERCE: Objection. Vague, compound.

8 A. All of the social workers through the
9 homeless access team worked through the Coordinated
10 Entry system.

11 Q (BY MS. STILLMAN) When you were doing
12 homeless outreach in 2020 at homeless encampments --
13 Well, I'm going to take back that
14 question.

15 So to clarify, when you were doing
16 homeless outreach at encampments in 2020, you didn't
17 refer residents to any housing assistance options
18 other than Coordinated Entry?

19 MS. PIERCE: Can you read that question
20 back to me, please?

21 (Whereupon, the court reporter read back
22 the requested portion of the record.)

23 A. My job was more crisis-oriented, and that
24 was to offer shelter options to residents and to
25 have the shelter staff do those Coordinated Entry

1 assessments with people once they got there.

2 For those people who chose not to go to
3 shelter, and someone says, yes, I want to work with
4 a social worker -- and it could be someone from a
5 community agency or someone from Hennepin County --
6 there were persons designated to do those
7 assessments, and they could do those with those
8 persons from an encampment.

9 Q (BY MS. STILLMAN) Did you ever deter a
10 resident of a homeless encampment from going to a
11 hotel that was funded by ZACAH?

12 MS. PIERCE: Objection. Vague, compound.

13 A. No. I don't recall ever doing that.

14 Q (BY MS. STILLMAN) Did you ever tell any
15 outreach workers not to refer homeless individuals
16 to hotels funded by ZACAH?

17 MS. PIERCE: Objection. Vague, asked and
18 answered.

19 MS. SARFF: Objection. Relevance.

20 A. If a -- if a -- there were many outreach
21 staff that were working with both Sanctuary Movement
22 and ZACAH, and they regularly made referrals to
23 those hotels through those organizations. If that
24 was their choice to do that, I was not someone who
25 would tell them not to do it.

1 Q (BY MS. STILLMAN) I'm going to backtrack a
2 little and just go over some more routine questions.

3 Where are you from?

4 A. I'm wondering about the relevance of the
5 question to the topic.

6 Q. Just answer the question.

7 MS. SARFF: Objection. Relevance,
8 harassment.

9 A. I grew up on the East Coast.

10 Q (BY MS. STILLMAN) Okay. What's your
11 highest level of education?

12 A. I have two graduate degrees.

13 Q. And what are those in?

14 A. Master's in social work and master's in
15 business administration.

16 Q. When did you get the master's in social
17 work?

18 A. 2007, I believe, from University of
19 Michigan, Ann Arbor.

20 Q. And what did -- when did you get the
21 master's in the business degree?

22 A. 2000 -- Excuse me. 1991, from Mount
23 St. Mary's University, Emmitsburg, Maryland.

24 Q. And what were your -- was your undergrad
25 degree in?

1 A. Sociology.

2 Q. Have you obtained any other degrees or
3 certificates since 2007?

4 A. No.

5 MS. STILLMAN: I'll mark this as
6 Exhibit 204.

7 (Deposition Exhibit Number 204 marked for
8 identification.)

9 Q. (BY MS. STILLMAN) Is this an accurate
10 depiction of your LinkedIn profile?

11 MS. PIERCE: Why don't you give him a
12 minute to look at it.

13 MS. STILLMAN: Sure.

14 A. This appears to be, yes. Yes.

15 Q (BY MS. STILLMAN) Do you --

16 A. I'm recalling now that I may have said
17 2007 when I was talking about my master's of social
18 work graduation. It was 1997. So I apologize for
19 that, that inaccuracy.

20 Q. Thank you for the clarification.

21 A. Yep.

22 Q. Do you read the news?

23 A. Yes.

24 Q. What news sources do you read?

25 A. There are times where I read the

1 Star Tribune. There are times I read CNN. There
2 are many different news sources that I receive news
3 from.

4 Q. Did you read any articles about homeless
5 encampments in Hennepin County in the Star Tribune
6 in 2020?

7 A. Yes.

8 Q. Do you recall the contents of those
9 articles?

10 A. I read many articles in 2020. I don't
11 recall those -- the subject of each one.

12 Q. Do you recall if any of them included
13 statements about residents of homeless encampments'
14 property being destroyed during an encampment
15 closure?

16 MS. PIERCE: Can I have that question read
17 back, please?

18 (Whereupon, the court reporter read back
19 the requested portion of the record.)

20 MS. PIERCE: Objection. Assumes facts not
21 in evidence, foundation, vague.

22 A. This was a subject that had come up in
23 different places, so it's possible. I do not recall
24 any specific article regarding items being thrown
25 out in a Star Tribune article in 2020.

1 Q (BY MS. STILLMAN) When was the last time
2 you had communication with somebody from ZACAH?

3 A. December 2020.

4 Q. And who was that communication with?

5 A. I believe it was with Yusra.

6 Q. And do you remember what that conversation
7 was about?

8 A. I believe that it was my informing her
9 that a different person would be taking over the
10 work of -- working with unsheltered residents of
11 Hennepin County. And I gave her that person's name
12 and contact information, and I thanked her for
13 working with me.

14 MS. STILLMAN: Can we take like a
15 two-minute break?

16 MS. PIERCE: Sure.

17 THE VIDEOGRAPHER: We are going off the
18 record. The time now is 5:15.

19 (Whereupon, a short recess was taken.)

20 THE VIDEOGRAPHER: We are back on the
21 record. The time now is 5:21.

22 MS. STILLMAN: No further questions.

23 MS. PIERCE: We'll read and sign.

24 And I want to reiterate that
25 confidentiality designation for that one document on

1 the record.

2 But, other than that, we'll read and sign.

3 Thanks so much.

4 MS. STILLMAN: Great. Thank you.

5 THE VIDEOGRAPHER: This concludes today's
6 deposition. The time now is 5:21 p.m.

7 (Whereupon, at 5:21 p.m., Monday,
8 February 13, 2023, the taking of the Deposition of
9 DONALD RYAN was adjourned.)

10 * * *

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1 STATE OF MINNESOTA:)

) ss.

CERTIFICATE

2 COUNTY OF ANOKA:)

3 Be it known that I took the deposition of
DONALD RYAN on the 13th day of February, 2023;

4
5 That I was then and there a Notary Public
in and for the County of Anoka, State of
6 Minnesota, and that by virtue thereof, I was duly
authorized to administer an oath;

7
8 That the witness, before testifying, was
by me first duly sworn to testify the whole truth
and nothing but the truth relative to said cause;

9
10 That the testimony of said witness was
recorded in shorthand by me and was reduced to
typewriting under my direction;

11
12 That the cost of the original transcript
has been charged to the party noticing the
deposition, unless otherwise agreed upon by Counsel,
13 and that copies have been made available to all
parties at the same cost, unless otherwise agreed
upon by Counsel;

14
15 That I am not related to any of the parties
hereto nor interested in the outcome of the action;

16
17 That the reading and signing of the
deposition by the witness and the Notice of Filing
were reserved.

18
19 WITNESS MY HAND AND SEAL this 24th day of
February, 2023.

20
21 

22 Christine K. Herman, RPR, CRR
23
24
25

Errata Sheet**Deposition of Don Ryan, 2/13/2023****Assignment Reference No. 5672429****Statement of Changes Under Fed. R. Civ. P. 30(e)**

Page	Line	Change	Reason
16	6-7	Change "is the assistant to David Hough" to "is the Deputy County Administrator under David Hough"	Misspoke
51	21	Change "o.r" to "or"	Transcription error
63	19	Change "Public Work" to "Public Works"	Transcription error
120	6	Designate "(612)791-3434" as confidential	Confidentiality
185	10	Change "that later facilitated" to "that I later facilitated"	Transcription error
206	2	Change "may believed" to "may have believed"	Transcription error

Don Ryan

 Don Ryan

03/24/23

 Date